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## THE CAREER OF HENRY ADAMS BULLARD, LOUISIANA JURIST, LEGISLATOR, AND EDUCATOR\*

By DORA J. BONQUOIS

### CHAPTER I THE EARLY YEARS

Lining the walls of the Court House at New Orleans hang the portraits of many of the men who have served Louisiana in judicial capacities in times long past. Forgotten men, indeed, are these. The quiet tenor of their occupations left little to inspire the biographer or the historian, though their work was important in the steady building of the state. Such was the fate of Henry Adams Bullard, a New Englander, who served Louisiana not only as a jurist but as a legislator and educator. His portrait is distinguished from the others in the hall by the shoulder-length, silvery hair, framing a face of dignity and intelligence and firmness. Said to have been handsome in his youth, the features, in age, are still attractive and the expression is not without kindliness and gentleness. Nearly a century has passed since Bullard lived and worked in Louisiana. Due to time and neglect, much information concerning him is no longer available. That which remains has been gathered here in hope of preserving it for future generations.

Henry Adams Bullard was born at Pepperell, Massachusetts, on September 9, 1788.<sup>1</sup> His father was the Rev. John Bullard, a Congregational clergyman; his mother, Elizabeth (Adams) Bullard, daughter of the Rev. Amos Adams. Henry was the fourth

\* Master's thesis in History, Louisiana State University, 1939.

<sup>1</sup> Melvin J. White, "Henry Adams Bullard", *Dictionary of American Biography*, 20 vols. (New York, 1928-1936), III, 254; There is some uncertainty as to the exact place and date of Bullard's birth. Some obituaries give Groton, Mass., as the place, but his birth is not recorded there. Upon entering Harvard, he gave the date as Sept. 9, 1787. Records of Harvard University.

of their eight children.<sup>2</sup> On both sides Bullard could trace his ancestry back to early settlers in New England. His mother traced hers back to the first Henry Adams who came to Massachusetts from England in 1638. Presidents John and John Quincy Adams traced theirs back to the same common ancestor.<sup>3</sup>

Bullard was educated at Harvard College, receiving his A. B. degree in 1807<sup>4</sup> at the age of nineteen. The records of the College state that he was dismissed from the institution on April 20, 1807, for walking out of commons when some particularly rotten meat was placed on the table. He was restored on his petition on June 18, too late to take part in the commencement exercises. Bullard continued his studies at Harvard for several years and was to have received his A. M. degree with the class of 1810. His failure to do so is thought to have been caused by resentment at having been prevented from taking his first degree with his class. It was not until 1836 that this degree was finally awarded him.<sup>5</sup> After leaving Harvard, Bullard studied law in the offices of Luther Lawrence of Groton and Peter A. Browne of Philadelphia;<sup>6</sup> he was admitted to the bar about 1812.<sup>7</sup> While he was pursuing his legal studies, he found time to perfect himself in French and to acquire Spanish, Italian, and German, all of which he is said to have been able to read and speak with fluency.<sup>8</sup> Unfortunately for the young and ambitious Bullard, the Philadelphia bar offered no outlet for his talent and energy, probably because he had few influential friends in that city.<sup>9</sup>

To Philadelphia in 1812 had come Don José Álvarez de Toledo, a former member of the Cortes of Cadiz, who had been obliged to flee from Spain for advocating the independence of Spanish America.<sup>10</sup> Here he paused to gather recruits and resources preparatory to joining Don José Bernardo Gutiérrez in his effort

<sup>2</sup> Records of the Bullard Family. These were supplied by Mrs. William Alexander Robertson of Opelousas, La., a descendant of H. A. Bullard. The other children were Elizabeth, Lucretia, John, Royal, Sarah, Mary Adams, and Charles Adams. *Ibid.*

<sup>3</sup> The first Henry Adams had nine children, eight of whom were sons and one a daughter. Elizabeth Adams was the great-great-granddaughter of the first son, Henry; President John Adams was the great-grandson of the seventh son, John. J. Gardner Bartlett, *The Henry Adams Genealogy* (New York, 1927), 58-73.

<sup>4</sup> White, "Henry Adams Bullard", *Dictionary of American Biography*, III, 254.

<sup>5</sup> Records of Harvard University.

<sup>6</sup> *Ibid.*

<sup>7</sup> "Henry Adams Bullard", *Biographical Directory of the American Congress, 1774-1927* (Washington, 1928), 758.

<sup>8</sup> White, "Henry Adams Bullard", *Dictionary of American Biography*, III, 254.

<sup>9</sup> V. H. Ivy, "The Late Henry A. Bullard", *DeBow's Review*, 43 vols. (New Orleans, 1846-1880), XII (1852), 51.

<sup>10</sup> Henry Adams Bullard, "Mexico and Texas", *North American Review*, 245 vols. (Boston, 1815-1877; New York, 1878-), XLIII (July, 1836), 287.

to free Texas from Spanish rule.<sup>11</sup> In some manner, young Bullard became acquainted with Toledo and readily fell in with his plans to revolutionize Texas, although the United States was at the time involved in war with Great Britain and he might well have expended his energies in that direction. Since he was too level-headed a person to join such an expedition for the love of adventure alone, one surmises that he was motivated by the desire for a permanent place in the movement for Texan independence and more material rewards. Because of his education and his knowledge of Spanish, Bullard was made aide-de-camp and secretary to General Toledo.<sup>12</sup> In the winter of 1812, the General and his party set out from Pittsburgh for Natchez by flatboat. They suffered greatly from cold and did not arrive at their destination until March, 1813. From Natchez the party went on to Natchitoches and finally to Nacogdoches, within the boundaries of Texas. Here they set up a printing press and in May, 1813, made preparations for issuing the first newspaper ever published on Texan soil.<sup>13</sup>

From Nacogdoches, Toledo sent a messenger to Gutiérrez, at San Antonio de Béxar, informing him of his arrival and of his readiness to join him. However, unpleasant reports, derogatory to his character and his patriotism, had preceded Toledo's messenger. He suddenly found his services rejected and himself invited to leave Texas. He did so; but once back in Natchitoches, he and William Shaler, special agent of the United States, began a campaign to remove Gutiérrez as commander of the republican forces. To Béxar, Bullard was sent as an agent to direct the campaign. The propaganda which they put out was effective; Gutiérrez was removed from command and exiled to the United States. On August 4, Toledo took his place. Unfortunately for Texan independence, the Mexican inhabitants failed to rally to him. Before he had time to set the government of Texas in order, the Royalist army under Arredondo was upon him. On August

<sup>11</sup> Documentary evidence has proved that the Gutiérrez expedition of 1812-1813, of which Toledo later became the leader, was not merely a filibustering enterprise. It was a renewal of the revolution to free New Spain (begun by Hidalgo in 1810) by Texan republicans who accepted the aid of Gutiérrez and Toledo. Kathryn Garrett, "The First Constitution of Texas, April 17, 1813", *Southwestern Historical Quarterly*, 42 vols. (Austin, 1897-), XL (April, 1937), 290-291.

<sup>12</sup> *Daily Crescent*, April 19, 1851.

<sup>13</sup> Bullard, "Mexico and Texas", *North American Review*, XLIII, 238-239; This was the *Gaceta de Texas*, dated Nacogdoches, May 25, 1813. It was the first newspaper prepared in Texas, the first to have its type set within the limits of Texas, the first to be addressed to Texans and devoted to their affairs, but it missed the final honor of being the first printed on Texan soil. Due to the political misunderstanding between Gutiérrez and Toledo, the latter left Nacogdoches and returned to Natchitoches, La., where the paper was printed. Kathryn Garrett, "The First Newspaper of Texas; *Gaceta de Texas*", *Southwestern Historical Quarterly*, XL (Jan., 1937), 200-208.

17, 1813, the Spanish commander appeared on the Medina.<sup>14</sup> There he prepared an ambush into which the smaller forces of General Toledo unsuspectingly marched and were cut down. Bullard was among the few who managed to escape. After great hardships, he succeeded in reaching Natchitoches, within the Louisiana borders.<sup>15</sup>

Natchitoches at this time was second only to New Orleans in importance. It was the trading post for Indians and Mexicans within an extensive area, and since the great raft<sup>16</sup> prevented all intercourse by river above, it was virtually at the head of navigation on the Red River.<sup>17</sup> To this Natchitoches, Bullard returned, ragged, broken down by fatigue and privation, and penniless.<sup>18</sup> With nothing to go back to, his future depended on his ability alone. Although he was unknown and friendless, he opened a law office here and began the practice of his profession.<sup>19</sup> Not only were the people and the customs of this Louisiana town different from those with which he was familiar, but he found an entirely different system of law in use. For, although admitted to statehood, Louisiana still clung to the laws handed down to her by France. His native intelligence and previous education enabled him to master quickly the Napoleonic code, the Louisiana code of 1808, and to make himself familiar with the leading authorities on civil law.<sup>20</sup> His attractive personal appearance, his cultured bearing, his knowledge of French and Spanish assisted him in making the acquaintance of the best families. His practice increased and prospered.<sup>21</sup> Nor was the life of a lawyer at this time one of ease. It was said that a practicing lawyer in the western district of Louisiana was compelled to ride a circuit embracing Opelousas, Avoyelles, Alexandria, Natchitoches, Ouachita and Concordia, a distance of about three hundred miles. But the practice was very lucrative, and the bar of Louisiana numbered among its members men of great talent and learning.<sup>22</sup>

<sup>14</sup> Garrett, "The First Constitution of Texas, April 17, 1813", *Southwestern Historical Quarterly*, XL, 303-305.

<sup>15</sup> Henderson K. Yoakum, *History of Texas from Its First Settlement in 1821 to Its Annexation to the United States in 1845* (New York, 1856), I, 175.

<sup>16</sup> The Great Raft was a collection of fallen trees and other debris which formed in the Red River and obstructed navigation. Extending for over 100 miles, it was removed through the efforts of Captain Henry M. Shreve some years later. *American State Papers, Military Affairs* (Washington, 1860), V, 209.

<sup>17</sup> *Crescent*, April 19, 1851.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 53.

<sup>21</sup> White, "Henry Adams Bullard", *Dictionary of American Biography*, III, 254.

<sup>22</sup> "Memoir of Hon. Henry A. Bullard, LL.D., . . .", in French, *Historical Collections of Louisiana*, 5 vols. (New York, 1846-1853), III (1851), 6.

Established in his profession, Bullard now took upon himself, the responsibility of a home and family. On October 24, 1816, the marriage of Henry Adams Bullard and Sarah Maria Kaiser took place at Natchitoches.<sup>23</sup> The bride is said to have been a woman of great beauty and spirit and determination. Little has come down to us of Bullard's home life; we presume that it was a happy one. We do know that five children were born of the marriage, two sons, Henry Bass and Charles Bullard, and three daughters, Marianne, Virginia and Julia Lawrence Bullard. The daughters all married—Marianne to Alphonse Lestrapes, Virginia to Evariste Blanc and Julia to Henry Lestrapes Garland.<sup>24</sup> Their descendants live in Louisiana today. The sons never married. Henry died in New Orleans in January, 1853, at the age of twenty-eight.<sup>25</sup> Charles was a graduate of West Point. In the War between the States, he enlisted in the army of the Confederacy and served as a lieutenant. He was killed at the Battle of Shiloh.<sup>26</sup>

In 1819, Henry Adams Bullard accepted his first public post in a career of distinguished public service. He was thirty-one years of age at the time. In that year, he was appointed judge of the district court to fill the unexpired term of Josiah Stoddard Johnston, who had resigned to become a member of Congress. Bullard served until he was succeeded by William Murray in 1821.<sup>27</sup> In the elections of 1820, however, he had been elected a representative from the parish of Natchitoches to the General Assembly. The House of Representatives assembled at New Orleans on November 20, 1820, but Bullard did not appear to take his seat until December 27,<sup>28</sup> probably because he was still involved in judicial duties.

Nothing exciting transpired during Bullard's term in the Legislature. It was a time of steady progress and internal improvement in the state.<sup>29</sup> He appears to have been an active member of that body, although the House Journal of that early date is not very enlightening as to his exact accomplishments. At any rate, it shows that he served on various committees, introduced a few bills, and acted as chairman on numerous occasions when the House went into the committee of the whole. Inter-

<sup>23</sup> Records of the Bullard Family.

<sup>24</sup> *Ibid.*

<sup>25</sup> *Crescent*, Jan. 29, 1853.

<sup>26</sup> Records of the Bullard Family.

<sup>27</sup> G. P. Whittington, "Rapides Parish, Louisiana—a History", *Louisiana Historical Quarterly* (New Orleans, 1917-), XVII (1934), 332-333.

<sup>28</sup> *Louisiana House Journal*, 5 Leg., 1 Sess. (1820-1821), 38.

<sup>29</sup> Thomas Bolling Robertson was governor of Louisiana during this period.

esting, because of the light it throws on Indian affairs and on the unprotected condition of the northern and western parts of the state at the time, is the resolution which Bullard introduced on January 6, 1821, censuring a treaty that had been made between the United States and the Choctaw nation.<sup>30</sup>

By this treaty, not at the time ratified, it was stipulated that the United States cede to that nation a large tract of land lying between the Red River and the Arkansas. Bullard objected to this on the ground that the land was of great fertility, advantageously situated for the production of cotton and other crops, and lay on navigable streams. It was already occupied by several hundred white families. He contended that locating the Choctaws on this land would defeat the expressed purpose of the national government to civilize them, by making it possible for them to combine with other tribes in the vicinity against the whites. Not only would this endanger the western settlements of the state, but it would check the progress of population and improvement in the west. He deemed the treaty unjust also because it contemplated ceding to the Indians "a portion of the original province of Louisiana, contrary to the spirit of the treaty of cession of 1803, which held out a promise that the whole extent of it should in due time be admitted to all the advantages of self-government, and to participate in the blessings of the federal system".<sup>31</sup> He, therefore, recommended that the Senators and Representatives of Louisiana in the national Congress be requested to use their influence to prevent the ratification of the treaty.<sup>32</sup>

The first session of the Fifth Legislature adjourned in February, 1821; the second session did not convene until January 7, 1822. Bullard was again late, not putting in his appearance until January 18.<sup>33</sup> That he was considered a valuable member of the House is shown by his appointment on several committees organized to study messages of importance from the governor. The first of these was in connection with the governor's message concerning certain appropriations of public lands for the purpose of education.<sup>34</sup> On January 30, Bullard, as chairman of this

<sup>30</sup> *Louisiana House Journal*, 5 Leg., 1 Sess. (1820-1821), 45.

<sup>31</sup> *Ibid.*

<sup>32</sup> The treaty with the Choctaws, concluded on Oct. 18, 1820, was ratified and Congress made certain appropriations to carry it into effect. However, the Indians, upon learning of the number of whites already settled in the territory ceded to them, refused to move. The lines of the cession were finally redrawn to exclude the territory settled by the whites. *American State Papers, Indian Affairs* (Washington, 1834), II, 393-397.

<sup>33</sup> *Louisiana House Journal*, 5 Leg., 2 Sess. (1822), 16.

<sup>34</sup> *Ibid.*, 17-18.

committee, submitted the following report to the House. He stated that the committee had studied the governor's message together with certain resolutions of the legislatures of Vermont and Kentucky, relative to the subject, and had found that certain principles contained in the resolutions appeared to be incontrovertible. For example, it might be assumed as an axiom that:

... the lands of the union, whether acquired by conquest or by purchase, by the voluntary surrender of a doubtful right of one state, or the united efforts of all, ought to be considered the common property of the whole United States. When appropriations therefore are to be made for states' purposes out of common funds, each state is entitled to its due proportion.<sup>35</sup>

But the legislatures of certain states, Maryland, Vermont, Connecticut, Kentucky and Virginia, complained of a violation of these principles in favor of some of the new states.<sup>36</sup> Louisiana was one of those supposed to have been so favored.

Bullard vigorously denied this assertion, contending that whatever might have been the extent and value of appropriations for educational purposes in favor of other states, "the reserves for the use of schools, within the limits of this state, have not only been heretofore unproductive and nominal, but that ninety-nine hundredths of those appropriations must remain forever so."<sup>37</sup> This resulted from the quality and situation of the lands in the state, most of which consisted of waste prairies, swamps and pine woods. The great body of it was not even worth the expense of a survey. Thus, Bullard claimed that the state of Louisiana had never realized a single dollar from the supposed munificence of Congress, and there was little reason to hope that the appropriations would ever be productive. In addition, portions of this land had already been taken up by settlers to whom Congress had granted the right of pre-emption and permitted to carve land for themselves without regard to reservations for objects of public utility.<sup>38</sup>

<sup>35</sup> *Ibid.*, 28.

<sup>36</sup> In accordance with the provisions of the land ordinances of 1785 and 1787, each new state being admitted to the Union received large grants of land to be used for the maintenance of education. The older states, especially those on the Atlantic seaboard, began to object to this policy. They contended that some of them had given land east of the Alleghanies to the Federal government and that all had contributed to the fund to purchase Louisiana. Yet they had received nothing in return. About 1821, Maryland proposed to Congress that the states on the Atlantic Coast be given some compensation to be used for educational purposes. This proposition met with small favor. John B. McMaster, *A History of the People of the United States*, 8 vols. (New York, 1888-1913), V, 363-365.

<sup>37</sup> *Louisiana House Journal*, 5 Leg., 2 Sess. (1822), 28.

<sup>38</sup> *Ibid.*

Notwithstanding these facts, resolutions of the legislature of Maryland estimated every acre of these lands to be worth at least two dollars and claimed that sum out of the public treasury for every acre that had been reserved for the use of schools in Louisiana. This reasoning, Bullard contended, was fallacious and the conclusions unjust. Moreover, Louisiana had surrendered to Congress, for a limited time, the right to tax land sold by the United States within its boundaries. It now possessed no resources for the support of its public institutions but the industry of its citizens. While the committee concurred with the authors of the resolutions "in relation to the equal rights of the states to portions of the public domain, to promote the great and important object of a general diffusion of knowledge as the most effectual means for preserving in all their purity our existing political institutions",<sup>39</sup> they did not consider the right of the state to an equal distribution impaired by those grants and reservations previously made. Therefore, the committee submitted the following resolution for adoption and asked that copies of it be sent to the state's representatives in Washington:

Resolved by the Senate and House of Representatives, etc., That each of the United States has an equal right to participate in the benefit of the public lands, which ought to be considered as the common property of the union, and that the right of Louisiana to any future appropriations for the purposes of education, in common with the other states, ought not to be considered as diminished by any reservations heretofore provided for within its limits.<sup>40</sup>

On January 22, Bullard was appointed on a joint committee, composed of members of the House and Senate, to which was referred the governor's message and plans for the establishment of a new penitentiary.<sup>41</sup> On March 1, Edward Livingston reported on the findings of that committee before the House and introduced "An act to provide for the erection of a penitentiary prison".<sup>42</sup> Bullard served on two other committees of some importance. On February 5, as chairman of the first of these, he reported a resolution rejecting an amendment to the Constitution of the United States, proposed by the state of Pennsylvania, meant

<sup>39</sup> *Ibid.*, 29.

<sup>40</sup> *Ibid.*; This resolution was presented to the United States Senate by Henry Johnson in January, 1823, and was referred to the Committee on Public Lands. Nothing further seems to have come of it. *Annals of Congress*, 17 Cong., 2 Sess. (1822-1823), 93.

<sup>41</sup> *Louisiana House Journal*, 5 Leg., 2 Sess. (1822), 19-20.

<sup>42</sup> *Ibid.*, 60-61.

to limit the right of the United States to establish banks to the District of Columbia alone.<sup>43</sup> The other committee on which he served was a joint one, appointed "to inquire into the practicability and expediency of establishing a new and shorter route for the transportation of the mail of the United States between New Orleans and the city of Washington, . . ."<sup>44</sup> The resolutions which this committee drew up<sup>45</sup> were presented to the United States Senate by Henry Johnson in February, 1823, and were laid on the table at that time.<sup>46</sup>

Either during his term in the General Assembly or shortly afterwards, Bullard moved to Alexandria and established his home there. In 1823, we find that he was named President of the Board of Trustees of the Town of Alexandria.<sup>47</sup> This was an office comparable to that of mayor. The period was one of great development in that section of Louisiana. The virgin forests along the waterways were cut down to make way for great cotton plantations, and speculation in land and slaves ran riot. In the 1820's, the planting of sugar cane along the rivers and bayous had its beginning.<sup>48</sup> Like the wealthier residents of Alexandria, Bullard also owned a summer home in the pine woods on the north bank of the Red River.<sup>49</sup> By 1832, he had again settled in Natchitoches. In that year, he built a beautiful mansion there, a stately Greek Colonial affair, fronted by four magnificent columns. And the beauty of its immediate surroundings proved a perfect setting for the lovely home, an avenue of live oaks leading up to it from the small river which it overlooked.<sup>50</sup> In 1837, Bullard acquired another residence. This was a plantation near Opelousas,<sup>51</sup> on which the family apparently resided after that date. Mrs. Bullard lived there until her death in 1874.<sup>52</sup>

At the end of his term in the Legislature, Bullard had returned to private practice. However, upon the death of William

<sup>43</sup> *Ibid.*, 33.

<sup>44</sup> *Ibid.*, 49.

<sup>45</sup> *Acts of Louisiana*, '5 Leg., 2 Sess. (1822), 110-115.

<sup>46</sup> *Annals of Congress*, 17 Cong., 2 Sess. (1822-1823), 268.

<sup>47</sup> Whittington, "Rapides Parish, Louisiana—a History", *Louisiana Historical Quarterly*, XVII, 333.

<sup>48</sup> *Ibid.*, XVI (1933), 429-430.

<sup>49</sup> *Ibid.*, XVII, 333.

<sup>50</sup> Natchitoches *Enterprise*, March 22, 1934; A portion of the plantation upon which this home stood became part of the campus of the Louisiana State Normal College, and the magnificent old mansion was used for many years as the Matrons' Building. All that remains of it today is three of the four beautiful columns.

<sup>51</sup> Records in the Clerk's Office at Opelousas, La.

<sup>52</sup> Records of the Bullard Family.

Murray in 1826, he again accepted the judgeship of the district court. He served in that capacity until his election to the national Congress in 1830.<sup>53</sup>

## CHAPTER II

### MEMBER OF CONGRESS

In 1830, Henry Adams Bullard prepared to enter political life once more—this time in the national arena. In that year, he opposed Pierre A. Rost in the election for representative to the Twenty-second Congress from the Third Congressional District of the state.<sup>1</sup> Bullard was elected; incomplete returns from this district gave him 640 votes against 598 for Rost.<sup>2</sup> He did not take his seat in Congress, however, until December, 1831, more than a year later.<sup>3</sup>

Bullard entered Congress during an important period in the history of the country. Jackson had been in the presidency for two years, bringing with him an era of new democratic ideas and change. The country was being agitated over such issues as the rechartering of the United States Bank, the tariff, nullification in South Carolina, internal improvements and the removal of the Indians to the country west of the Mississippi. It is hardly to be expected that Bullard, the New Englander, the son of Federalists, the kinsman of John Quincy Adams, would support the President or his policies. At the time of his election, he was a member of the National Republican party. Before going on to Washington in December, 1831, he and Josiah Stoddard Johnston served as delegates from Louisiana to the National Republican Convention held at Baltimore and played an important part in nominating Henry Clay for the presidency in 1832.<sup>4</sup> In 1834, Bullard, like most of the National Republicans, joined the newly formed Whig party, of which he remained a member until his death.

Bullard sat in Congress for three months before he attempted to address that body. His choice of subject for his debut was unfortunate; it concerned the relatively unimportant item of the salary of the minister to Colombia. On March 15, 1832, Warren R. Davis of South Carolina had moved that this item be stricken

<sup>53</sup> Whittington, "Rapides Parish, Louisiana—a History", *Louisiana Historical Quarterly*, XVI, 434.

<sup>1</sup> The Third Congressional District was composed of the counties of Attakapas, Opelousas, Rapides, Natchitoches, Ouachita, and Concordia.

<sup>2</sup> *Courier de la Louisiane*, July 14, 1830.

<sup>3</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 1420.

<sup>4</sup> *Niles' Register*, XLI (1831-1832), 307.

out, asking that the minister be removed and a consular agent substituted in his stead.<sup>5</sup> The reason for the desired change appears to have been a monetary one, it being contended that the value of commerce with Colombia did not warrant the keeping of a minister there. A mild debate was in progress when Bullard interposed his argument in favor of the motion.<sup>6</sup> The speech he made was rather elaborate and pompous for such a trivial subject, and Bullard would have done well to have remained silent. But he evidently wanted to make an impression on his fellow members of Congress.

At the hazard of being considered obtrusive, Bullard said he rose to sustain the motion made by the gentleman from South Carolina. His reason for doing so was that he considered no such government as that of Colombia in existence. Therefore, he contended that the word "Colombia" should be stricken from the bill. Asserting that the Department of State knew that the government was dissolved, he objected to appropriating another year's salary to a minister whose functions had ceased, together with the government to which he was accredited. His information, he claimed, was taken from an announcement of the Department of State, published in the *Globe*, which stated that the central provinces of Colombia had been united into the independent state of New Granada.<sup>7</sup> Thus, Bullard asked:

What is the present condition of our minister? . . .  
At best but a minister to a Government which had no political existence when he received his letters of credence, the State of New Granada. If he should visit either of the extremities of the late Republic, Caracas or Quito, he may be told, Colombia is dissolved: we no longer acknowledge the republic, nor you as the accredited minister of the United States. When he was sent out, he was accredited as our minister to the whole republic; he is now cut down to Santa Fé de Bogota. Two parts out of three disown him, by renouncing all

<sup>5</sup> *Debates in Congress*. 22 Cong., 1 Sess. (1831-1832), 2167.

<sup>6</sup> *Ibid.*, 2170-2172.

<sup>7</sup> By 1821, Simon Bolivar had achieved freedom for the whole northern part of Spanish South America and had organized it into the Republic of Colombia. The Republic was destined to be short-lived. Its area, almost as great as the portion of the United States east of the Mississippi; its mountain ranges, dividing the country into a number of sharply marked geographic divisions; its natives, differing in habits and speech; the ambition and jealousy of its leaders, all tended to make disintergration almost certain. Bolivar tried desperately to hold the country together under a strong central government but failed. In January, 1830, Venezuela declared its independence of Colombia. Shortly afterward, Ecuador followed in secession. After the death of Bolivar, the remaining central part reverted to the name of New Granada. It was so known until the title "The United States of Colombia" was adopted in 1855. Mary W. Williams, *The People and Politics of Latin America* (New York, 1930), 496-500; David R. Moore, *A History of Latin America* (New York, 1938), 301-302, 365.

connection with Colombia. Does it become us, sir, to keep a nominal minister to a Power which has ceased to exist?<sup>8</sup>

The question then for the House to decide, said Bullard, was whether or not it should provide a salary for a minister to a power which no longer existed and who was no longer entitled to the protection and immunities extended to ambassadors by the law of nations.<sup>9</sup>

Upon the conclusion of Bullard's argument, William S. Archer, Chairman of the Committee on Foreign Relations, rose to reply to it.<sup>10</sup> Quite effectively, he proceeded to remove some of the wind from Bullard's sails. He said he owed "a word or two to the honorable member who had this day appeared in debate for the first time, and who, he must be permitted to say, had not exhibited much of that modesty which the House was accustomed to witness on a first appearance."<sup>11</sup> As for the source of Bullard's information on the dissolution of Colombia, Archer observed that it was merely newspaper information. Would the honorable gentleman from Louisiana maintain, he inquired, that the reception of newspaper information to the effect that individuals in a foreign country had rebelled constitute the formation of a new State in the eyes of the Government? According to public law, an existing government might be broken down into various parts, but those parts did not constitute new States until so acknowledged by the United States. Therefore, in legal phrase, the Government was bound to consider Colombia as still in existence and maintain political relations toward it. At any rate, he continued, the whole benefit of intercourse with Colombia inured to the United States. The minister there had accomplished one beneficial commercial arrangement and was negotiating another from which even greater benefits might be derived. "Yet," he declared, "a gentleman rises on this floor, and in order to display his learning in geography and in public law, undertakes to maintain that we are bound to break down our relations with that Government, and to violate all the obligations which we have voluntarily obtained toward it."<sup>12</sup> At any rate, it was only intended to continue the minister at Bogota through the present year. At this point the

<sup>8</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 2171.

<sup>9</sup> *Ibid.*, 2172.

<sup>10</sup> *Ibid.*, 2172-2174.

<sup>11</sup> *Ibid.*, 2172.

<sup>12</sup> *Ibid.*, 2174.

debate was suspended, Davis' amendment being subsequently negatived by a large majority.<sup>13</sup>

Archer's sarcasm evidently took effect, for some months were to pass before Bullard attempted another speech. However, he did address the House briefly on several occasions. On March 31, 1832, an amendment to the appropriation bill for the Indian Department was before the House. It concerned the building of houses for the Indian agents who were to accompany the tribes consenting to emigrate to the West. Bullard rose and remarked that although he desired one of these houses to be erected at the raft of the Red River, he did not think the sum intended, \$7,000, to be necessary, \$1,000 being quite sufficient.<sup>14</sup>

On April 6, Bullard proposed an amendment of some importance in connection with a bill making appropriations for certain works of internal improvement. He "moved to amend the bill in the last clause, which contained an item of \$2,628, for improving the navigation of Red river, by adding the words, 'and the further sum of \$20,000'."<sup>15</sup> Bullard explained in what manner the previous appropriation had been expended, a distance of about fifty miles on the river having been cleared of obstruction. He referred to a report from the War Department, containing a detailed statement of the progress that had been made and recommending the appropriation he had moved. He dwelt upon the benefits that would result to commerce from the opening of the Red River to navigation. The work of clearing the river was nearing completion, but should it be stopped now, he claimed, all that had been done would be lost—"the opening which had been made would soon close, the drift wood accumulate, the obstruction of the river become permanent and incurable".<sup>16</sup> After some discussion, the amendment was agreed to by the House.<sup>17</sup> This appropriation enabled Captain Henry M. Shreve to accomplish much in removing the Great Raft from the Red River.<sup>18</sup>

On April 23, Bullard laid before the House two resolutions of the Louisiana legislature.<sup>19</sup> The first of these urged the renewal

<sup>13</sup> *Ibid.*, 2175.

<sup>14</sup> *Ibid.*, 2325-2326.

<sup>15</sup> *Ibid.*, 2435.

<sup>16</sup> *Ibid.*, 2436.

<sup>17</sup> *Ibid.*, 2437; In the *Acts of Congress* for 1832, there appears "An Act making appropriations for certain Internal Improvements for the year one thousand eight hundred and thirty-two", in which there is the following section: "For improving the navigation of the Red River, Louisiana and Arkansas, being the balance of the appropriation of one thousand eight hundred and twenty-eight, carried to the surplus fund, two thousand six hundred and twenty-eight dollars, and the further sum of twenty thousand dollars". *Acts of Congress*, 22 Cong., 1 Sess. (1831-1832), 134.

<sup>18</sup> *American State Papers, Military Affairs* (Washington, 1860), V, 52, 87, 209.

<sup>19</sup> *Niles' Register*, XLII (1832), 156.

of the charter of the United States Bank, "with such alterations, if necessary, as may secure the right of the states."<sup>20</sup> The second concerned a project to construct a canal, six and a half miles long, commencing at the Mississippi River and entering the sea at a point south of Breton Island. It was claimed that this would afford an easy and safe access to the river to vessels drawing twenty feet of water and would be "of great and invaluable advantage to the nation at large".<sup>21</sup>

Bullard's most important and best prepared speech was in connection with the Tariff of 1832. It is an interesting document and much superior to any of the previous addresses he had made in the House. Perhaps this was due to the fact that he had here an issue of great interest to his party, to his constituents, and to himself.

On May 28, 1832, the measure that was to become the Tariff Bill of 1832 was reported in the House. On the motion of George McDuffie of South Carolina, on that day the House went into Committee of the Whole to consider a bill to equalize the duties on imports.<sup>22</sup> Owing to the large revenues that were pouring into the Treasury from customs duties and the sale of public land, the national debt would soon have been paid off. In some sections of the country, a reduction of the tariff was desired as a means of preventing a large surplus from accumulating in the Treasury. In other sections, especially where the National Republicans were strong, a retention of the protective tariff was advocated with any surplus being used for internal improvements. McDuffie's introduction of the tariff measure started a series of debates on the issue that lasted for a month. It was on June 15 that Bullard rose and addressed the House on the subject.<sup>23</sup> His speech may be divided into two parts—the first defending the principles of the protective tariff and attempting to prove to the states of the South Atlantic seaboard that there were other causes for the depression being felt in their section, and the second part condemning any changes in the tariff act on sugar. Yet the tone of his speech is conciliatory. To a House that was faced with the threat of secession, he urged moderation and compromise and voiced the hope that a successful solution might be found for the country's problems.

<sup>20</sup> *Acts of Louisiana*, 10 Leg., 3 Sess. (1832), 96.

<sup>21</sup> *Ibid.*; The bank question was settled, adversely to the wishes of the Louisiana legislature, during Jackson's administration. Nothing, however, seems to have come of the project to construct the canal.

<sup>22</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 3120.

<sup>23</sup> *Ibid.*, 3588-3598; *Niles' Register*, XLII (1832), 456-459.

Bullard opened his address by stating that it was not his intention to inflict a long speech upon the House either on this occasion or on any other. But for the peculiar circumstances in which he was placed, he would not have risen at all. This peculiar situation was that he himself was a cotton planter, interested financially in that branch of industry and identified with the great planting interests of the South.<sup>24</sup> At the same time, he was advocating the principles of the protective tariff, both in obedience to certain resolutions passed by the Louisiana legislature several years previously<sup>25</sup> and from the conviction of his own mind. Furthermore, he was not interested, to the amount of one farthing, in sugar or the culture of sugar cane.

Bullard explained that he lived on the border which divided the great sugar and cotton interests. His constituents were partly cotton planters and partly sugar planters. One might suppose his position in regard to the tariff to be delicate, but the planters in his section differed in opinion on the tariff only as they differed on other speculative questions of politics and political economy. They did not quarrel about it, nor did they complain of being oppressed or burdened by its operation. On the contrary, his section of Louisiana was contented and highly prosperous.

He then proceeded to offer reasons, other than the tariff, for the depression being felt in the South Atlantic states. He claimed that there was "no propensity of the human mind more strong than that of attributing effects to doubtful or inadequate causes; of setting up a certain theory or system, and then seizing upon every fact which can render it plausible".<sup>26</sup> But he was wedded to no such theory. During the years that he had resided in the cotton region, he had noticed all the phenomena of production and consumption under different phases of legislation. These facts, compared with the statements of others, showed the comparative productiveness of the two great subdivisions of the cotton region—the Southwest and the South Atlantic states. He went on to compare the yield in bales of cotton in his section of the country with the much smaller yield in Georgia and the Carolinas, exclaiming:

<sup>24</sup> The cotton planters of the South were active in the fight for an ad valorem tariff.

<sup>25</sup> In 1830, the Louisiana legislature had adopted strong resolutions in favor of the existing protective tariff of 1828. *Acts of Louisiana*, 9 Leg., 2 Sess. (1830), 70.

<sup>26</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 3588.

The latitude is nearly the same: our expenses the same: we depend upon a common market, and live under the same system of laws: and yet how different the rewards of industry! . . . It is notorious that we are prosperous, getting rich. The planters are every year adding to their stock of slaves, extending their plantations by opening and clearing lands, or by purchases. The price of land is rising rapidly in that cotton district. I ask you gentlemen to account for this. Can it be that the same system of laws under which we are so prosperous, is the sole cause of the depression of the same interest in other parts of our common country?<sup>27</sup>

The difference in soil and cultivation in the two regions, Bullard thought, ought to come in for at least a share of the blame. The cotton planters in his section of the country were far more prosperous than the sugar planters. He had abandoned the raising of sugar at a loss in order to take up the more lucrative business of growing cotton. Quoting statistics for 1830, he showed that the Southwestern states produced 80,000,000 pounds more cotton than the South Atlantic states. He submitted for consideration, therefore, "whether the superior productiveness of the Southwest may not have contributed in some measure, by its powerful competition, to depress the prosperity of the Southern Atlantic States, which some gentlemen seem to attribute exclusively to the legislation of the country".<sup>28</sup>

After apologizing for having burdened the committee so long with dry statistics, Bullard proceeded to examine and analyze the theory that the producer paid all the taxes imposed by the protective system. According to the theory, the planter, merely as a producer, suffered a loss equal to the average of duties on imports, said to be about forty or forty-five per cent. If this be true, Bullard continued, the loss must be suffered either in the sale or in diminished production. When he went to market his crop, he received the market price in money. With this money he did what he pleased. He met, as competing purchasers, English, French, and American manufacturers. The demand and supply at the time determined the price. After the sale was made, the fluctuation in price or the ultimate destination of the cotton did not affect the planter. "If", said he, "by any juggling, there is a deduction of forty or fifty per cent, from the price, at the moment of the sale, no farmer has ever yet had the sagacity to discover or detect it. The farmer feels that, when he

<sup>27</sup> *Ibid.*, 8589.

<sup>28</sup> *Ibid.*, 8591.

has received his money, he has no longer an interest in the destination of his crop. It has mingled with the great mass of national commerce, and has passed beyond his control and beyond his care. With this supposed loss of nearly half their income, the planters of my district have been getting rich even at reduced prices".<sup>29</sup>

If, Bullard continued, the producer is not directly taxed in the sale of his staple, the only injurious effect of the tariff to the South is either in the burden it places on consumption or by paralyzing the powers of production. But, in fifteen years, production of cotton had increased two hundred and sixty-five million pounds. This not only proved that production was not discouraged, but went far toward accounting for the fall of prices. Whatever may have been their opinion of the protective policy originally, the people of his section had begun to feel a wholesome reaction from it. "In the first place", said Bullard, "it has given us a new market and a new customer. It keeps the price steadier. Merchants in New Orleans will tell you that the presence of the American manufacturers keeps up the price about two cents a pound higher than it would be without them . . . . Another thing, fabrics of cotton have been produced which are peculiar to this country . . . ."<sup>30</sup> He continued, "I am disposed to do anything for conciliation, but sacrifice the great interests of this country to reduce the duties on articles which do not come into competition with your domestic industry, and to have only that measure of protection which is necessary to save from ruin those branches of industry which have grown up under the faith of your legislation."<sup>31</sup>

At this point, Bullard introduced the second part of his speech, stating, "But, Mr. Chairman, I should not have risen at all, had it not been for the interest of the sugar planters, menaced by this bill, which proposes to take off one half cent from the duty on brown sugar, and two-thirds from white."<sup>32</sup> The question for the House to decide, he argued, was not whether the protective system should be abolished, but how to adapt it to the existing state of things. A course should be adopted that would save, if possible, all the great interests of the nation and all branches of domestic industry, and yet bring down the rev-

<sup>29</sup> *Ibid.* 3592.

<sup>30</sup> *Ibid.* 3593.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.* 3594.

enue to the wants of the treasury. Since 1816, when protective duties were placed on sugar, the culture of cane in Louisiana had extended and flourished.<sup>33</sup> The last two crops, Bullard admitted, were somewhat less than usual, due to the severity of the weather. Nevertheless, he objected to hazarding the industry at the present time by any reduction of the duties.

Bullard quoted Gallatin as having said, in a free trade memorial, that the quantity of sugar needed for consumption by the United States could not be supplied by Louisiana. He claimed that that gentleman had overlooked the introduction of ribbon cane, a hardy and more easily acclimated variety.<sup>34</sup> This type of cane could be raised in all parts of the South below thirty-one degrees. With land in abundance and slaves that must be employed in agricultural pursuits, he asked where the impossibility lay in supplying the country's needs? Nothing could be gained, he stated, by reducing the duty on sugar at the present time. Increased demand would tend to raise the price of sugar in the West Indies, and the consumer would get the article no cheaper. At present, the price in the West Indies was below the cost of production. If there should be a reduction now in the duties, it would act as a bounty to the West Indian planters.

The sugar of Louisiana, he went on, did not figure in foreign commerce, but it played an important part in domestic trade. It figured in essentially barter trade, part of it going up the Mississippi to the great central valley to be paid for in horses, corn, flour, castings, steam engines, pork, and so on. The rest was sent along the coast, swelling the coasting trade, and being exchanged for slaves, cotton fabrics, woolens, shoes, ploughs, hoes, axes, chemicals, and other items. Was this a time, questioned Bullard, to try a hazardous experiment, "when the price is much depressed, when the planters are embarrassed in consequence of unfavorable seasons, and when, instead of lightening the burden of taxation, you might increase the revenue which you are seeking to diminish?"<sup>35</sup>

<sup>33</sup> In the Tariff Bill of 1816, there is the following section: ". . . on brown sugar, three cents per pound; on white clayed or powdered sugar, four cents per pound; on lump sugar, ten cents per pound; on loaf sugar and on sugar candy, twelve cents per pound; . . ." This is the only mention of sugar in a tariff bill until the tariff of 1832. *Acts of Congress*, 14 Cong., 1 Sess. (1815-1816), 99.

<sup>34</sup> According to Fortier, ribbon cane came originally from Java and was introduced into Louisiana by Jean Joseph Coiron in 1817. In 1825, he planted his plantation with it. From there, the variety spread over Louisiana and greatly increased the cane-growing area of the state. Alcée Fortier, *A History of Louisiana*, 4 vols. (New York, 1904), III, 228.

<sup>35</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 3596.

He contended that there was yet another consideration which ought not to be disregarded in deliberating on the amount of protection to be given this peculiar interest of Louisiana. When the United States bought Louisiana, Bullard said, it purchased the free navigation of its rivers, its public works and armament, and an immense tract of public domain—but it did not purchase the allegiance of the people. That allegiance was the “spontaneous offering of generous and loyal hearts”. The inhabitants of Louisiana were weary of being used to balance European treaties and rejoiced when their country was made a part of the United States. They rejoiced in the thought that they would enjoy the protection of just and equal laws, but the first laws to touch Louisiana were revenue laws, and the first institution to be established was the customhouse. The people of Louisiana had contributed by indirect taxation to pay the price of American independence. The vast lands of the province had been brought under the hammer and the proceeds applied to pay off the national debt. Under these circumstances, was not Louisiana, he asked, entitled “not merely to niggardly, calculating justice, but to liberal protection, in her most important, and at this time, suffering interest”.<sup>36</sup>

In bringing his speech to a close, Bullard expressed his surprise at hearing the cry of disaffection, secession, disunion from the representatives of the people of this prosperous country. This cry, he said, would find no response among the loyal people he represented. Whatever the result of the deliberations of the House, the people of Louisiana would acquiesce in the will of the majority and remain loyal to the Union, though the final vote prove fatal to their prosperity. Then in a vein which was to echo through his whole life, he ended:

You cannot break up the Union without the deepest stain upon your national faith. . . . I hope for better things. I trust that this great question will be settled; that we shall be able to modify our system in such a way as to save all the great interests of the country from any essential sacrifices; and that the sober counsels of moderation and conciliation will prevail.<sup>37</sup>

After Bullard had resumed his seat, Samuel P. Carson of North Carolina rose and commented on his speech with some warmth. He attributed the speech to interest, inasmuch as Loui-

<sup>36</sup> *Ibid.*, 3597.

<sup>37</sup> *Ibid.*, 3598.

siana had benefited to the amount of some \$2,000,000 under the protective system. In connection with its conclusion, Carson claimed that Louisiana did not have as strong an attachment to the Union as Bullard would have one believe. In 1814, when the British lay outside New Orleans, the connection of the state to the Union was preserved, he said, not by her own legislature, "but by the exertions of an individual who now resides at the other end of this city".<sup>38</sup> On the following day, Bullard's colleague, Philemon Thomas, expressed a desire to answer Carson's assertion. He said he wished first to confirm Bullard's statement to the effect that "Louisiana was a republican State, and that, come what would, she would stick to the Union".<sup>39</sup> But the gentleman from North Carolina had attempted to deprive her of her republican character by charging her legislature with disloyalty in 1814. This charge originated in the misconception of a circumstance occurring at the time the British army was besieging New Orleans. Thomas then proceeded to explain that situation and to vindicate the people of New Orleans from the reproach that had been cast upon them.<sup>40</sup>

Finally on June 28, 1832, the House, tiring of lengthy speeches on the tariff, came to a decision on the bill. It passed by a vote of 132 yeas to 65 nays.<sup>41</sup> Bullard, having been unsuccessful in preventing the reduction of duties on sugar,<sup>42</sup> voted against it. His colleague, Edward Douglas White, joined him in expressing disapproval of the measure. Louisiana's other representative, Philemon Thomas, cast his vote for the bill. In the Senate, discussion of the bill began on July 3rd.<sup>43</sup> On the 9th, it passed that body by a vote of 32 to 16.<sup>44</sup> On July 14th, it was signed by President Jackson, thus becoming law.<sup>45</sup>

<sup>38</sup> *Ibid.*, 3598-3599. The individual alluded to was Andrew Jackson.

<sup>39</sup> *Ibid.*, 3653.

<sup>40</sup> *Ibid.*; The situation referred to took place a short time before the Battle of New Orleans. On Dec. 28, 1814, one of Jackson's aides brought him a message, supposedly from Gov. Claiborne, to the effect that the General Assembly was about to surrender the country to the enemy. Jackson said, at the time, that he did not believe the information, but requested the Governor to make a strict investigation of the matter. The message that the aide delivered to Claiborne, however, was so perverted that it led him to believe that Jackson wished to prevent the Legislature from assembling. Therefore, the members of the Assembly were barred from their Halls for several days until the unfortunate situation was straightened out. Fortier, *History of Louisiana*, III, 120-121.

<sup>41</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 3830-3831.

<sup>42</sup> In relation to sugar, the Tariff Act of 1832 reads: "On brown sugar and syrup of sugar cane, in casks, two and a half cents per pound; and on white clayed sugar, three and one third cents per pound." Accordingly, the duty on brown sugar was reduced one-half cent per pound, and that on white clayed sugar two-thirds cent per pound. *Acts of Congress*, 22 Cong., 1 Sess. (1831-1832), 190.

<sup>43</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 1174.

<sup>44</sup> *Ibid.*, 1219.

<sup>45</sup> *Acts of Congress*, 22 Cong., 1 Sess. (1831-1832), 197.

Although the state, in general, seemed to favor the protective policy, the New Orleans *Bee* criticized Representatives Bullard and White for having voted against the passage of the Tariff Bill. These gentlemen, said the *Bee*, affected to believe that the reduction of the duty on sugar would be prejudicial to that interest and adverse to the general prosperity of the state. Intelligent planters, it claimed, had no fear on that score. They believed that there would be some temporary embarrassment, but nothing would happen that was not natural to expect from the adoption of a new system. It contended that it was unreasonable to expect a continuance of high duties after the government had no need for the revenue they produced. It went on to ask what was to have been done under the circumstances. It was all very well to "philosophize and declaim about the importance of union to our national glory and independence",<sup>46</sup> but this would not allay the discontent that had sprung from the present system. The article accused Bullard and White of saying that the South "ought to cease its murmurings against a policy which is obviously subversive to its interests, . . . lest the slightest modification should occasion temporary suffering among those who have exclusively benefited of it".<sup>47</sup>

The House adjourned on July 16, 1832,<sup>48</sup> after a long and bitter session, and Bullard returned home. In his absence, a congressional election had taken place in the district he represented. In connection with the campaign, the following adverse but rather humorous publicity, taken from a St. Martinville dispatch, dated June 2nd, appeared in the Louisiana *Advertiser*:

There arrived at Opelousas, a few days since, by way of the Mail bags, several singular looking bundles franked 'H. A. Bullard, m. c.' By the wear and tear of the Mail bags, and the enormous rotundity of the bundles their contents were discovered. And what do you think they were, gentle reader? a couple of 'White Marseilles Waistcoats' for children in Opelousas. This is not the first instance 'Franking Privilege' has been misused by the same gentleman, and we think it nothing but right that it should be exposed. . . .<sup>49</sup>

Some days later, the *Advertiser* printed an article on the same subject, based on a statement signed by the Postmaster of

<sup>46</sup> *New Orleans Bee*, July 14, 1832.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Debates in Congress*, 22 Cong., 1 Sess. (1831-1832), 3916.

<sup>49</sup> *Louisiana Advertiser*, June 6, 1832.

Opelousas. That gentleman claimed that, at different times, packages had been sent to his office franked "Free. H. A. Bullard" and addressed to various persons. Instead of enclosing public documents, the packages contained certain articles of clothing which appeared through worn or torn parts of the envelopes. In addition, the packages generally weighed more than the amount allowed for franking privilege.<sup>50</sup>

The author of the article claimed that Bullard's friends had first tried to protect him by claiming that his signature had been forged. Finding that proof of its authenticity could be established, they resorted to other subterfuge. Some blamed his abuse of the franking privilege on the frailty of human nature; others offered to pay the postage in any case where he was found guilty of misuse of the privilege; still others claimed that his opponents had no right to inquire as to the contents of letters or packages addressed to his friends. This last excuse the writer found quite amusing, as the franking privilege had been given "to members of Congress for the benefit of their constituents, and not for the special advantage of the member in sending shawls, stockings, etc."<sup>51</sup> He contended that Bullard's opponents had the right to investigate the matter. If the abuse did not exist, the odium of the charge would rest with them. If it did exist, then the fact should be fully admitted, "and the voters of the 3d Congressional District will give such consideration and weight to this particular matter, in relation to Mr. Bullard, their public servant, as it may deserve".<sup>52</sup>

In this election, Bullard's opponent was Alexander Mouton, who was to become governor of the state at a later date. The returns of the voting all seemed to reach New Orleans via the *St. Martinville Gazette*, and, with that paper, Bullard was evidently not popular. On July 11, the *Courier* published the results as given by that journal. The *Gazette* had preceded its account of the voting with the following statement:

Our election closed on Wednesday evening last, and although the result is not exactly to our wishes, we are glad it is over. Mr. Mouton did not get as many votes as we expected, and we are fearful of the re-election of Mr. Bullard.<sup>53</sup>

<sup>50</sup> *Ibid.*, June 21, 1832.

<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*

<sup>53</sup> *Courier*, July 11, 1832.

In the returns that were given, Bullard had a majority of 182 votes over Mouton in St. Martin and was conceded majorities of 114 in St. Mary and of 150 in St. Landry. In Lafayette, Mouton was ahead of Bullard by 118 votes. If all this were true, the *Gazette* claimed that Bullard would be some 300 votes ahead of Mouton in the counties of Attakapas and Opelousas, which, in all probability, would elect him.<sup>54</sup>

Bullard was re-elected. In December, 1832, he returned to Washington for the second session of the Twenty-second Congress.<sup>55</sup> He found momentous questions waiting to be settled by that body. During the fall of 1832, a convention had assembled in South Carolina and had adopted an ordinance nullifying the tariffs of 1828 and 1832. Shortly after Congress convened, Jackson issued a proclamation to the people of South Carolina, proclaiming the supremacy of the Union and warning the citizens of the state to cease their opposition, lest force be resorted to. The House, alarmed at the situation, went to work on a bill intended "to reduce and otherwise alter the duties on imports" on January 8, 1833.<sup>56</sup> The tariff was to occupy the House for almost the complete session; little else was to be accomplished. On February 26, 1833, the House passed a new Tariff Bill,<sup>57</sup> which provided for a gradual reduction of duties until 1842, at which time the tariff should be on a revenue basis only. Bullard and his colleagues voted for the bill. On March 1, they also voted solidly for the passage of the Senate's Revenue Collection Bill.<sup>58</sup> This was the famous "Force Bill", designed to combat South Carolina's nullifying ordinance.<sup>59</sup> Its most important business finished, the House adjourned the next day.

In December, 1833, the Twenty-third Congress assembled at Washington. In the same month, the General Assembly of Louisiana elected Alexander Porter to the United States Senate to take the place of Josiah Stoddard Johnston, who had been killed in a steamboat explosion earlier in the year. Porter's election left a vacancy in the State Supreme Court, to which Bul-

<sup>54</sup> *Ibid.*

<sup>55</sup> *Debates in Congress*, 22 Cong., 2 Sess. (1832-1833), 818.

<sup>56</sup> *Ibid.*, 958.

<sup>57</sup> *Ibid.*, 1810.

<sup>58</sup> *Ibid.*, 1903.

<sup>59</sup> The "Force Bill" gave the President the right to use armed force in the states in upholding the laws of the United States. It was never put into effect, because the Tariff of 1833 satisfied the demands of South Carolina, causing her to rescind the ordinance of nullification.

lard was appointed. On January 8, 1834, he sent the following letter to the Speaker of the House, informing that body of his resignation:

House of Representatives,  
January 8, 1834.

Sir: I have the honor to inform you that my seat in the House of Representatives of the United States, over which you preside, has become vacant by resignation, addressed to the Executive of the State of Louisiana.

I have the honor to be, very respectfully,

Your obedient servant,

H. A. BULLARD

To the Hon. Andrew Stevenson,  
Speaker of the House of Representatives.<sup>60</sup>

### CHAPTER III.

#### ASSOCIATE JUSTICE OF THE LOUISIANA SUPREME COURT

The most important years in the career of Henry Adams Bullard were undoubtedly those spent as Associate Justice of the Louisiana Supreme Court. He served in that capacity for over a decade, from February 4, 1834 to March 19, 1846.<sup>1</sup> He was eminently fitted for that position both by his previous experience as a district judge and by his learning and ability. His habits of industry, legal inquiry, and research were laborious and unremitting<sup>2</sup> and stood him in good stead. Only once during these years was he enticed away by an offer of a public office;<sup>3</sup> within a few months he was back on the bench. It was not until the new Constitution of 1845 provided for a reorganization of the Supreme Court that his period of service ended.

The Supreme Court of Louisiana had been formed under the Constitution of 1812, which said in regard to the judiciary:

Section 1.—The judiciary power shall be vested in a Supreme Court and inferior courts.

Section 2.—The Supreme Court shall have appellate jurisdiction only, which jurisdiction shall extend to all civil cases

<sup>60</sup> *Debates in Congress*, 23 Cong., 1 Sess. (1833-1834), 2364.

<sup>1</sup> William K. Dart, "The Justices of the Supreme Court", *Louisiana Historical Quarterly* (New Orleans, 1917-), IV (1921), 116.

<sup>2</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 53.

<sup>3</sup> This was the Secretaryship of State of Louisiana, which he held for some months in 1839.

when the matter in dispute shall exceed the sum of three hundred dollars.

Section 3.—The Supreme Court shall consist of no less than three judges, nor more than five, the majority of whom shall form a quorum; . . .<sup>4</sup>

Each judge was to receive a salary of \$5,000 annually and was to hold office during good behavior. The state was divided into an Eastern and a Western district of appellate jurisdiction in each of which the Court was to hold its sessions.<sup>5</sup> In the Eastern district, the sessions of the Court were to be held in New Orleans during the months of November to July inclusive. In the Western district, the Court met in Opelousas annually for five years from August through October. Some years later the legislature passed an act providing that the Court should hold its sessions at Alexandria as well as at Opelousas each year.<sup>6</sup> It was under these conditions that Bullard received his appointment.

The life of a judge during this early period was hardly easy. The job was a year-round one with no vacation. Henry P. Dart in his "History of the Supreme Court of Louisiana" writes humorously of the time:

. . . This was a day of limited transportation facilities, and the mind dwells uneasily on the spectacle of our ancestors traveling over the face of Louisiana to the seat of justice in the heats of June, July, August, and September; nor can we fail to be impressed regarding the effect of that uncomfortable season on the judicial temperament. Legend preserves many tales of the habits of the bar of this saddlebag time, and, if half that is told true, the fraternity made an Elizabethan holiday of the journey, with other consolations besides. . . .<sup>7</sup>

According to Dart, the Court closed its Imperial or Augustan Age with the passing of Alexander Porter. "The largest part of its great task had been completed. It remained only to keep the path straight and to profit by the experience of the past in applying the problems of the future."<sup>8</sup> Before Bullard took up his duties, the foundations of the Louisiana judicial system had been laid by earlier justices.

<sup>4</sup> *Constitution of the State of Louisiana of 1812*, Article IV., 37-38.

<sup>5</sup> The Eastern district was composed of the counties of Orleans, German Coast, Acadia, La Fourche, Iberville, and Pointe Coupée; the Western district, of the counties of Attakapas, Opelousas, Rapides, Concordia, Natchitoches, and Ouachita. *Ibid.*, Article IV., 38.

<sup>6</sup> Whittington, "Rapides Parish, Louisiana—a History", *Louisiana Historical Quarterly*, XVII, 330-331.

<sup>7</sup> Henry P. Dart, "The History of the Supreme Court of Louisiana", *Louisiana Historical Quarterly*, IV (1921), 30.

<sup>8</sup> *Ibid.*, IV, 34.

Bullard's field was Civil Law. Before the end of his career he was considered an authority on civil jurisprudence. His opinions lie, for the most part, in this field. The cases with which he dealt concerned suits over estates by the heirs, suits to set aside wills, suits over land and over slaves, suits to enforce payment of insurance and of mortgages, suits for damages, suits to collect debts, and so on. No attempt will be made to give a full account of Bullard's work in the Supreme Court.<sup>9</sup> His opinions alone would fill many volumes. Only a few of the more important cases which he decided will be given here so that the reader may obtain an idea of his work.

Not long after his appointment, Bullard was called upon to deliver his first opinion. The case was an important one, concerning the seizure of a certain boat used in carrying the United States mail.<sup>10</sup> The firm of Porter, Stone and Co. had a contract with the government to carry the mail by steamboat. Certain materials used on the boats owned by this company had been furnished by one Parker and had not been paid for. Therefore, an order of attachment was issued and two of the boats seized. The Judge of the lower court had released the boats on the ground that transportation of the mail was being interfered with. Bullard's opinion reversed the decision of the lower court. The appellees in the case had relied upon the fact that though the state law allowed the seizure of the boats, it must yield to the paramount authority of the act of Congress which provides that no person shall knowingly or willingly obstruct the passage of the mail under penalty of the law. Bullard cited cases in which vehicles carrying the mail had been stopped without incurring the penalty. His conclusion was, therefore, that:

Congress has provided against the wilful and tortious obstruction of the transmission of the mail, but contractors warrant against ordinary delays in its departure and arrival arising from their own fault or want of means, by subjecting themselves to penalties or forfeitures. It would appear to us not a good defense to a suit on the contractor's bond, who was bound to convey the mail by steamboats generally, that a particular steamboat usually employed by him for that purpose, had been seized in a port by the sheriff, while the mail was not on board, at the suit of his creditors, although a delay in despatching the mail may have been the consequence.<sup>11</sup>

<sup>9</sup> A list of all the cases on which Bullard delivered the opinion was compiled as an Appendix to this thesis; but it is too long to be reproduced herewith.

<sup>10</sup> *Parker vs. Porter, et al.*, 6 *La.*, 169.

<sup>11</sup> *Ibid.*, 182.

The decision of the Court, therefore, was that the act of Congress did not extend to the case, and the seizure was to be reinstated.

Bullard's opinion in the case was published in full in the New Orleans *Bee*.<sup>12</sup> A few days later, a criticism of the opinion appeared in the same paper.<sup>13</sup> It set forth reasons why the steamboats should not be seized. The article stated that the first principle of our government was that it be an economical one, as little burdensome to the people as possible. It had been found that in establishing a public means of intercommunication a resort to contracts was both economical and efficient. "On first principles, therefore, no individual can, of right, or legally, do any act, the necessary and direct effect of which, is to interfere with the performance of the right conferred or duty imposed, on the government."<sup>14</sup> Therefore, private right, as against the contractor, should give way to the exigence of public convenience. If a creditor seize a boat "destined to carry the mail by contract, and without the use of which the mail cannot be forwarded, it will not be any defense to say he did not wish or intend to obstruct or delay the passage of the mail, but only to secure his debt. The creditor and the sheriff knew at the time they made the seizure, that the necessary, inevitable and direct consequence would be, the obstruction and retarding of the mail."<sup>15</sup> It was contended that the decision of the Supreme Court was placed on too narrow grounds. The question should have been considered on the broad basis of prerogative right and governmental law—of public exigence and national convenience.

In 1835, the important case of the heirs of Poultney vs. Cecil and others came up before the Supreme Court.<sup>16</sup> It involved "a large amount of property and consequently of interests and feelings; and concerned most of the citizens of Lafayette and many of the faubourg of St. Mary, as analogous cases depended on its issue."<sup>17</sup> The heirs-at-law of the late John Poultney instituted the suit to recover a large tract of land, situated in the city of Lafayette, which was part of the property of their deceased father. That land was now in the possession of William Cecil. In 1818, John Poultney had purchased a plantation for \$100,000,

<sup>12</sup> New Orleans *Bee*, March 4, 1834.

<sup>13</sup> *Ibid.*, March 8, 1834.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> Poultney's Heirs, vs. Cecil's Executor 8 *La.*, 321.

<sup>17</sup> *Bee*, June 3, 1835.

to be paid in installments. The following year he found himself financially embarrassed. His creditors extended the time in which to pay his debts, but he died before he could make use of it. Thereupon, the creditors took the matter to court and were authorized to take possession of the property and sell it according to law. Cecil had purchased the property at this time. In December, 1832, this suit was instituted; the heirs claiming the property and appealing to their tender age and legal incapacity to accept the succession at their father's death, and the defendants claiming that they were purchasers in good faith of the property when it was publicly sold. They appealed to the sanctity of judicial proceedings growing out of the alleged insolvency of the plaintiff's ancestor.<sup>18</sup>

The case was a very long one, the account of it in the *Louisiana Reports* covering over a hundred pages. It was ably argued by the attorneys on both sides. Judge Bullard delivered the opinion of the Court, which decided the case in favor of the defendants. At the end of the opinion, he adequately summed up the main facts of the case:

In conclusion, we cannot forbear to add, that it appears to us, the proceedings which led to the alienation of the property in controversy, growing out of the extreme disorder of Poultney's affairs, were carried on in good faith, conducted on all sides by the most distinguished and experienced jurists of that day, before a court whose jurisdiction was not then questioned, acquiesced in by the tutrix of the plaintiffs, who had a right to exercise all their actions, and who considered it most prudent not to hazard her own, in the wreck of her husband's fortune. The property was sold to reimburse his endorsers the sums paid by them for the purchase of the property itself. The success of the plaintiffs in this case, would involve the same parties or their heirs in aggravated ruin, as warrantors of the property to the present possessors. If we consider the situation of things at that time, we are far from being satisfied that the condition of the minors would have been bettered by accepting the succession of their father. Fifteen years have, indeed produced great changes; a plantation has risen into a city; but time, while it enhances the value of property, does not affect the immutable principles of justice.<sup>19</sup>

As the *Bee* commented in its write-up of the case, minors who are prejudiced by the negligence of their tutors are entitled to resti-

<sup>18</sup> Poultney's Heirs vs. Cecil's Executor, 8 La., 321.

<sup>19</sup> *Ibid.*, 426-427.

tution, but it did not follow that the acquired rights of third parties were to be sacrificed—"not for the purpose of replacing the plaintiffs in the position which they would otherwise have occupied; but to give them the possession of the property, when it is manifestly impossible at the same time to restore the creditors—whose rights are no less sacred—to their original condition in relation to the estate. More than restitution is therefore manifestly sought. . . ."<sup>20</sup>

The Supreme Court, at this time, was composed of the minimum number of justices allowed by the Constitution; the members, with Bullard, were François Xavier Martin and George Mathews, both noted jurists but elderly men. As a result, cases did not move through the Supreme Court with as much rapidity as could be desired. Then in November, 1836, Judge Mathews died.<sup>21</sup> It was not until April 1, 1837, that the vacancy was filled by the appointment of the Hon. Henry Carleton.<sup>22</sup> During the preceding months, Bullard and Martin had composed the Court. In 1838, Judge Martin's overtaxed eyes failed him, and he became completely blind.<sup>23</sup> He did not resign from the bench, however. By 1839, the Court came in for a great deal of criticism. It had accumulated a large docket, principally litigation resulting from panic and financial depression. The methods of the Court were badly in need of reform. The judges heard cases on three days a week for five hours a day. No check was placed on counsel, and the court took the same privilege. It was called a "talking court"; it was said that in the arguments the judges held the floor to the exclusion of the counsel.<sup>24</sup>

The *True American* bitterly denounced the Court but did not class Bullard among those who were responsible for its inefficiency. In one article it stated that the chief cause of the disorganized and inefficient condition of the Supreme Court was the "decayed and sickly state" of the majority of its members. It claimed that its most efficient member, an excellent judge, was about to resign because of the inability of the Court to get on with its work. It was rumored that an attempt would be made in the legislature to rid the bench of its other incumbents once the mem-

<sup>20</sup> *Bee*, June 3, 1835.

<sup>21</sup> Thomas Curry (ed.) *Louisiana Reports*, 19 vols. (New Orleans, 1831-1842), X (1837).

<sup>22</sup> *Ibid.*, XI.

<sup>23</sup> J. G. de R. Hamilton, "François Xavier Martin", *Dictionary of American Biography*, XII, 336.

<sup>24</sup> Dart, "History of the Supreme Court of Louisiana", *Louisiana Historical Quarterly*, IV, 35.

ber alluded to had resigned. This the *True American* approved, stating that if the judges were incapable of performing their duties, their places should be given to others. The article went on to say that it was now necessary to have five judges to attend properly to the tasks before the Court and to increase its efficiency. Three had been sufficient to perform the labors of the Court when first created, but the business of the Court had greatly increased as the state advanced in wealth and population. It believed that there was more safety and presumably more wisdom in the opinion of five members, as there was more time for each member to examine records and authorities in order to reach a correct decision.<sup>25</sup>

On January 28, the paper carried the notice of the resignation of the Hon. Henry A. Bullard from the Supreme Court, to take effect on the 31st of the month.<sup>26</sup> On the 30th, another article appeared in the *True American* which stated that now that Bullard, the only judge who was fit for the office, had voluntarily resigned, there was no excuse why the other two judges should hesitate to announce their resignations also. To be emphatic, it declared: "The Court is already dead since Judge Bullard left it. It now only remains to remove the dead carcasses that encumber it, and resuscitate and reorganize it anew."<sup>27</sup> Early in February, Carleton also resigned, but the veteran Martin refused to give up his post. In March, Pierre A. Rost and George Eustis were appointed to fill the two vacancies.<sup>28</sup>

Perhaps the disorganized condition of the Court was not the sole reason for Bullard's resignation. On February 5, he was appointed Secretary of State for Louisiana by Governor Roman.<sup>29</sup> What Bullard accomplished during the months in which he held this office will probably never be known. The Reports of the Secretary of State for that period are no longer in existence. A few days after his appointment, Bullard presided over a meeting held at Banks' Arcade, convened to consider the "propriety and expediency of adopting a General Banking Law".<sup>30</sup>

<sup>25</sup> *True American*, Jan. 15, 1839.

<sup>26</sup> *Ibid.*, Jan. 28, 1839.

<sup>27</sup> *Ibid.*, Jan. 30, 1839.

<sup>28</sup> *Louisiana Reports*, XIII.

<sup>29</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 54.

<sup>30</sup> *True American*, Feb. 12, 1839; The General Banking Law had to do with a system of credit which had been adopted in several of the other states. By its operation the whole circulation of paper money was based on deposits of government securities, pledged in the hands of a state officer, to secure the redemption of such circulation. In this way, such currency was rendered sound, independent of the aid or management of the institution making the pledge. *Bee*, Feb. 12, 1839.

The Supreme Court, during Bullard's absence, did not have very smooth sailing. Eustis and Rost resigned their commissions in May and June, 1839. George Strawbridge and Alonzo Morphy were then appointed, but Strawbridge resigned within a few months also.<sup>31</sup> The Secretaryship of State must not have completely pleased Bullard either. He resigned the office on December 17, 1839.<sup>32</sup> On December 18, the *True American* carried the following notice: "The Hon. Henry A. Bullard has consented to accept a seat on the Supreme bench, and is appointed by the Governor, a judge of the Supreme Court in the room of Geo. Strawbridge, Esq. . . ."<sup>33</sup> During the winter of 1840, the membership of the Supreme Court was increased to five; the Court then consisted of François Xavier Martin, Henry A. Bullard, Alonzo Morphy, Edward Simon, and Rice Garland.<sup>34</sup>

In April, 1841, one of the innumerable cases concerning the Batture came before the Court.<sup>35</sup> The case was one of importance in the history of this controversy—that of Municipality No. 2 vs. the Orleans Cotton Press.<sup>36</sup> The Second Municipality was suing for the title and possession of certain lands lying at its front, formed by the alluvion from the Mississippi. This land was in the possession of the Orleans Cotton Press. The Municipality claimed that the Batture had been formed since the faubourgs before which it lay were incorporated within the limits of the City of New Orleans. Therefore, the title of that property became vested in the corporation for the exclusive use and benefit of the public. The owners of the Orleans Cotton Press had built a large establishment on that ground. They claimed that they were the riparian owners of the Batture which had, by increase and accretion, attached itself to their front property. This property they owned originally by a concession of the King of France. They claimed that they could not be divested of it without their consent or without just indemnity.

The opinion on the case was delivered by Judge Bullard and concurred in by all the other jurists with the exception of Martin. In his opinion, Bullard expressed regret that the senior judge had dissented. He said the Court had had the advantage of able

<sup>31</sup> *Louisiana Reports*, XIV.

<sup>32</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 54.

<sup>33</sup> *True American*, Dec. 18, 1839.

<sup>34</sup> *Louisiana Reports*, XIV.

<sup>35</sup> The Batture was an alluvial deposit in front of the Second Municipality of the City of New Orleans, built up by the Mississippi River. It had been a subject of contention since the admission of Louisiana into the Union. *Daily Crescent*, March 21, 1848.

<sup>36</sup> *Municipality No. 2 vs. Orleans Cotton Press*, 18 *La.*, 122.

and elaborate discussion on both sides, and had weighed the arguments and examined the authorities at leisure in order to give the whole subject the patient and dispassionate consideration due to the vast interests at stake, to the character of the parties involved, and to public expectation.

Bullard stated that the right to future alluvial formation was inherent in the property itself, resulting from the location of the land, just as much as the fruits of a tree belong to the owner of the land. Therefore, to transfer from the owner of the land to the city the future alluvial increase would be as legally absurd as declaring that the fruit of all the orange trees within its limits belong to the city and not to the owners of the orchards. The Municipality had argued that it was detrimental to commerce to have any part of the river bank owned by private individuals, as there was danger of the public being excluded from the property. Bullard claimed that this was not true, as the public, through the agency of the corporation, had sole use of the levee and the bank of the river. The city authorities had the right to make any improvements along the river front to render it more useful to the public and favorable to commerce. Therefore, so far as the public was concerned, it was of little importance whether the future increase of the Batture should be dedicated to the public or to the front proprietors. The law gave to the public the right to use the levee and the ground between it and the water's edge, independent of the consent of the front proprietors.

Bullard also said that there was nothing to show that there had ever been a dedication of the land to the public by the front proprietors. Not only had the proprietors owned and used the land without opposition for a number of years, but by the ordinance of 1830, in which the city authorized the laying of a new road and levee, the proprietors were given the burden of keeping up the levee along their front. As for the new public road that had been built between the estate and the river, it could not be considered as giving the land any other boundary than the river. The land over which the road was built belonged to the front proprietors, and the city had been enjoined from opening the road until an indemnity was paid to the proprietors. As they had already given land for one road, according to the provisions of the original grant, they were not bound to furnish another without indemnity.

The judgment of the Court was in favor of the defendant, the Orleans Cotton Press. It reserved, however, "to the public the use of the levee, and of all the alluvion which existed at the inception of this suit, or which now exists, or may hereafter be formed between the levee and the river, to be administered exclusively, and its use regulated, according to law, by the City Council of the Second Municipality".<sup>37</sup>

By 1843, the ill-health with which Bullard was afflicted during the latter part of his life began to make itself felt. When the Court opened in the Western district that year, he was incapable of attending to the duties of his station in such a manner as the public interests required. Therefore, he left his seat and went home.<sup>38</sup> In 1845, he had such a severe attack of sickness that it was feared that he might not recover.<sup>39</sup> In spite of ill health, he continued his work in the Court and handed down the decisions in a number of important cases.

Although his duties on the bench were arduous, Bullard found time to collaborate with Thomas Curry in compiling a digest of the laws of Louisiana.<sup>40</sup> This came out in one volume in 1842 under the title, *A New Digest of the Statute Laws of the State of Louisiana, from the Change of Government to the Year 1841, Inclusive*. In the preface, the compilers gave the following brief description of their work:

The plan of the new Digest will be readily perceived. The first volume, . . . embraces only general laws, together with some of a very important bearing upon the public, such as the organization of Courts and their jurisdiction, although local as it relates to their sphere of action, together with the City charters. It embraces also the acts of incorporation of Colleges, Academies and Asylums which enjoy the patronage of the State.<sup>41</sup>

A second volume was planned to contain "the charters of incorporated companies, such as Banks, Insurance Companies, Churches, and a variety of associations and local laws, as well as some of a personal character",<sup>42</sup> but it was never published. Probably

<sup>37</sup> *Ibid.*, 241.

<sup>38</sup> *Bee*, Oct. 11, 1843.

<sup>39</sup> *Daily Delta*, Nov. 27, 1845.

<sup>40</sup> Thomas Curry edited the *Louisiana Reports* from 1834 to 1842. He afterwards became Judge of the 9th District Court.

<sup>41</sup> Henry A. Bullard and Thomas Curry (compilers), *A New Digest of the Statute Laws of the State of Louisiana, from the Change of Government to the Year 1841, Inclusive*, (New Orleans, 1842), I, Preface.

<sup>42</sup> *Ibid.*, Preface.

the adoption of a new state constitution in 1845, which changed and abrogated many laws, made its publication unnecessary.<sup>43</sup>

In June, 1844, the interesting case of the Wardens of the Church of St. Louis v. Antoine Blanc, Bishop of New Orleans, came up for consideration in the Court.<sup>44</sup> The trouble in this case seemed to have started in 1842 when Bishop Blanc, no longer satisfied with the salary he received from the Wardens, addressed a letter to them asking for a revival of the right, "Cuarta Episcopal", by which one fourth of the perquisites of the Church should be allowed him over and above his salary. The petition was refused and soon after the Bishop's salary was suppressed, as the Wardens did not think he rendered the Church of St. Louis services equivalent to it. Later on, the Bishop wrote to them that he was ready to name a new curate for the Cathedral, as soon as certain conditions were agreed to. The Wardens refused to accede to these conditions, and the Bishop notified them that if they persisted in their resolution, all connection between them and him would cease, by which he intimated that no curate would be appointed.

The Wardens complained that the Bishop by his conduct and influence had caused a division of opinion among the Catholic population of the city. He had also withdrawn from the Church of St. Louis all but one of the ministry attached to it. Thus the service of the Church was inadequate to the spiritual needs of its members. They asked a judgment of \$20,000 for the damages they were suffering.

Judge Bullard, in the opinion he delivered on the case, upheld the policy of the separation of church and state. He stated that by the act which incorporated the Congregation of the Church of St. Louis, the Wardens were vested with full authority to provide in a suitable manner for public worship, to pay the salaries of the ministers and employees, to repair and improve the property of the Church, and so on, but they were not given the right to appoint the curate. The Legislature could not, in the opinion of the Court, authorize the Wardens to interfere in matters of Church discipline and doctrine. "It could not constitutionally declare, what shall constitute a curate in the Catholic acceptation of the word, without interfering in matters of re-

<sup>43</sup> White, "Henry Adams Bullard", *Dictionary of American Biography*, III, 254-255.  
New Orleans, 8 Robinson, 51.

"The Wardens of the Church of St. Louis of New Orleans v. Antoine Blanc, Bishop of

ligious faith and worship, and taking a first step toward church establishment by law."<sup>45</sup> The plaintiffs had based their right to recover damages upon the section of the code which declared "that every act whatever of man, which causes damage to another, obliges him, by whose fault it happened, to repair it".<sup>46</sup> However, courts of justice sit to enforce civil obligations only. A prelate of a church could not be molested because of his religious opinions. If in the exercise of his spiritual function he caused his subordinates to cease to perform divine service in the Cathedral, it was an act for which he was not accountable to any human tribunal.

Bullard stated that he thought the occasion justified entering at large into an examination of the subject and giving explicitly the views of the Court on the extent of religious liberty, according to the constitution and laws of Louisiana. To conclude, he said:

. . . in the opinion of the court, no man can be molested, so long as he demeans himself in an orderly and peaceable manner, on account of his mode of worship, his religious opinions and profession, and the religious functions he may choose to perform, according to the rites, doctrine and discipline of the church or sect to which he may belong, and that this absolute immunity extends to all religions and to every sect. It is an ample shield, which it is the duty of the judicial power to hold with a firm hand, as well over the most exalted prelate of the church, as over the lowliest follower of him who was meek and lowly, and who emphatically declared that his kingdom is not of this world.<sup>47</sup>

In March, 1845, a case which had been the subject of diplomatic negotiations between the United States and Great Britain was brought before the Louisiana Supreme Court. In the records of the Court the case was known as *Thomas McCargo v. the New Orleans Insurance Company*.<sup>48</sup> Together with several allied cases, it was the result of the loss of slaves due to mutiny on board the brig *Creole*. The action of the case was on several policies of insurance underwritten by different companies for slaves shipped on board the vessel for the port of New Orleans. The story of the case was that the *Creole* with a cargo of 135 slaves and some tobacco left Richmond, Virginia, on October 25, 1841. On November 7, the mutiny took place; in a few moments the slaves were masters of the vessel and compelled the mate and

<sup>45</sup> *Ibid.*, 88.

<sup>46</sup> *Ibid.*, 88-84.

<sup>47</sup> *Ibid.*, 91.

<sup>48</sup> *Thomas McCargo v. the New Orleans Insurance Company*, 10 *Robinson*, 202.

crew to navigate the brig to the port of Nassau in the Bahamas where the slaves escaped on to free soil. The insurrection was brought about so suddenly and so successfully that there was no doubt that a plot had been formed so as to explode on reaching the vicinity of the Bahama Islands. The question then was whether the loss of the slaves was caused by insurrection or by the illegal and unauthorized interference on the part of the authorities at Nassau. Under the policy in this case, the plaintiffs could not collect for loss due to insurrection.

Judge Bullard, in his opinion, stated that according to the law of nations, a ship or vessel on the high seas in time of peace, engaged in a lawful voyage, was under the exclusive jurisdiction of the state to which her flag belonged. If such a ship should be forced by stress of weather, or other unavoidable cause, into the port of a friendly power, she would lose none of the rights appertaining to her on the high seas. The vessel and cargo and persons on board would be under the protection which the law of nations extended to the unfortunate under such circumstances. The jurisdiction of a nation over a vessel belonging to it, while lying in the port of another, was not exclusive, yet local law did not supersede the laws of the country to which the vessel belonged so far as it related to the rights, duties and obligations of those on board. Whatever may have been the state of British law in regard to slavery, it did not operate on board the *Creole* while lying in the port of Nassau. The American consul at Nassau had requested the British governor to keep a guard on board the vessel to prevent the slaves from leaving it. However, this guard was soon withdrawn and all but four or five of the slaves went on shore and never returned.

Bullard's decision was that it was not for the Court to decide whether the conduct of the local authorities at Nassau was a violation of international comity so as to give just cause for complaint in the diplomatic relations of the United States and Great Britain. The Court concluded that the insurrection of the slaves was the cause of the breaking up of the voyage which prevented the part of the cargo consisting of slaves from reaching New Orleans. Therefore, the defendants were not liable on the policy in this case.<sup>49</sup>

<sup>49</sup> Diplomatically, the case of the *Creole* was not settled until some years later. It was submitted to the Anglo-American mixed claims commission under the convention of 1858, and the United States was awarded the sum of \$110,330. Samuel F. Bemis, *A Diplomatic History of the United States* (New York, 1936), 265.

By 1844, dissatisfaction with the provisions of the Constitution of 1812 was becoming manifest. In that year a Constitutional Convention was held to frame a new one, which went into effect in 1846. The new Constitution of 1845 instituted many changes, but only those affecting the judiciary are of interest here. In regard to that branch of government, it said:

Art. 64—The Supreme Court shall be composed of one Chief Justice and of three Associate Justices, a majority of whom shall constitute a quorum. . . . The judges shall be appointed for a term of eight years.

Art. 66—The Supreme Court shall hold its sessions in New Orleans from the first Monday of the month of November, to the end of the month of June inclusive. . . .<sup>50</sup>

The remodeling of the judiciary swept all of the old members of the bench out of office. None of them was appointed to the new Court.

A few months before the old Supreme Court adjourned, a scandal broke involving Rice Garland, one of its judges. On December 8, 1845, Judge Garland walked into Court and was about to take his seat on the bench. At this point, Judge Martin ordered the Court to be adjourned, and he and the other jurists left the room. For several days previous, rumors had been in circulation injurious to Judge Garland's character. He remained for a few moments after the adjournment of the Court, proclaiming his innocence to the assembled members of the Bar.<sup>51</sup> The charges against Garland were investigated; not many days later the *Bulletin* published the results of that investigation.<sup>52</sup> The gist of it was that Garland had written a note for \$6,200 in his own favor and forged the signature of John McDonogh to it. On the face of the note, he obtained money from a certain John K. Smith. When the forgery was discovered, Smith went to Garland and succeeded in getting all but \$2,700 of the money back. Garland then went to McDonogh and induced him to make good the difference by threatening to drown himself in recrossing the river if refused. McDonogh gave him a note for the missing amount but declined to acknowledge the first note as his. While the case was under investigation, Garland seized the opportunity to disappear from the scene. He was not to be found when his arrest was ordered.

<sup>50</sup> *Constitution of the State of Louisiana of 1845*, Title IV, 54.

<sup>51</sup> *New Orleans Commercial Bulletin*, Dec. 9, 1845.

<sup>52</sup> *Ibid.*, Dec. 20, 1845.

The last opinion of the old Court was delivered by Judge Bullard in March, 1846, in the case of *Mary M'Gary v. the President and Council of the City of Lafayette*.<sup>53</sup> This case grew out of an ordinance which allowed the City Council of Lafayette to build a new levee. In order to do so, it was to appropriate 60 feet along the river from the bank. The plaintiff had proceeded to demolish her buildings from the part of her land that was to be turned over to the city for the new levee and road. She applied to the surveyor of the City of Lafayette for the exact lines within which she could build, before beginning to re-erect her buildings. In this action she stated that the President and Council of Lafayette were maliciously and illegally harassing and disturbing her in the enjoyment of her property. They were attempting to enter her property and tear down the buildings under construction. She prayed for an injunction to restrain them and later for \$10,000 damages. The injunction was issued, and while it was in force, the President with a number of laborers demolished part of the wall of a building. When the case was tried, the jury gave a verdict of \$10,000 damages against the city, from which they appealed.

The trouble in the case seemed to lie in the different interpretation given to the plan for the levee of one city surveyor by his successor. The plan of the levee was not contested by either party; the President of the Council gave his notices to move obstructions and buildings according to it. However, the principal point was that the defendants chose to take summary justice into their own hands and to set at defiance the authority of the Court. Bullard stated that the damages asked were high but not excessive. He said that the defendants were a political corporation whose agents had wantonly and openly defied the authority of a court of competent jurisdiction. The plaintiff had taken every legal precaution within her power to save her property from destruction. He stated that the amount of damages divided among all the citizens of the corporation was to each separately a trifle. He thought that, by this decision, "a lesson may be given to those who invest with power, men who are regardless of law and of private rights."<sup>54</sup>

However, this decision did not stand. On a rehearing of the case, all of the judges except Bullard reversed their opinions and

<sup>53</sup> *Mary M'Gary v. the President and Council of the City of Lafayette*, 12 *Robinson*, 668.  
<sup>54</sup> *Ibid.* 674.

sent the case back to the lower court for a new trial. At the conclusion of his dissenting opinion, Bullard said:

I venerate those precedents in this class of actions, and I regard an honest jury as the only safe barrier against the abuse of petty authority. Let us not weaken those defenses which our ancestors threw about them, for the protection of private property and personal rights. For my part, I rejoice that the last act of my official life consists principally in leaving on the records of this court, in which I have labored for more than eleven years, this expression of my admiration of those great principles, my abhorrence of oppression in all its forms, and of my conviction, that it is mainly by means of fearless and independent juries awarding exemplary damages, that the rights of the citizen can be adequately protected, and violence and outrage suppressed.<sup>55</sup>

Thus ended the judicial career of Henry Adams Bullard. On March 18, 1846, the old Court met for the last time. On March 19, the Court organized under the Constitution of 1845 began its sessions.<sup>56</sup>

Perhaps it is well now to attempt to evaluate Bullard as a jurist. His knowledge of the law was great and his industry in searching through evidence and authorities untiring. His opinions were always aptly phrased; perhaps no other judge of the time was so able a writer. He saw the weak points of the law and did not forbear to comment on them on occasion, as in a certain suit for the curatorship of a vacant succession. He remarked:

The court cannot forbear to add, that the scramble too common in our courts, in which gentlemen of the bar are interested, in relation to the administration of estates, the struggle "per fas et per nefas", which mark these contests; the protracted delays which attend them, regardless of the rights of honest, and it may be of suffering creditors, are calculated to defeat the ends of justice, and to reflect no credit on the profession.<sup>57</sup>

Even though his duties called for seriousness and reflection, his sense of humor was not impaired when a case came before the Court which allowed it scope. Such a case was that of Skinner & Kennedy vs. Western Marine and Fire Insurance Company. This was a suit for payment of an insurance policy on a cargo of pork

<sup>55</sup> *Ibid.*, 681-682.

<sup>56</sup> Dart, "History of the Supreme Court of Louisiana", *Louisiana Historical Quarterly*, IV, 37.

<sup>57</sup> Chew et al. vs. Flint, Curator, etc., 7 *La.*, 395 (405).

in bulk, which had been badly burned on the voyage from Vicksburg to New Orleans. Under the law the underwriters were not obliged to pay so long as the cargo could still be designated by the same name as when it was insured. It is quite possible that Bullard was laughing here at the idiosyncrasies of the law. His opinion ran on as follows:

It has been contended that pork roasted or barbecued as this was, could no longer be properly called bulk pork. By bulk pork we understand that which is not put up in barrels; it is true, it is understood to be in its raw state, and not roasted, broiled or barbecued. But according to the current authorities, the test is that it should remain "in specie", and still properly designated by the same name. Now, although partially prepared for consumption by cooking, and having undergone a partial chemical change, the pork was still pork, and if not in barrels and packed up, was still in bulk, a mere accidental condition of the thing. A ham either boiled or roasted is still a ham, as much as a rotten fish is still a fish, although the former is no longer raw, and the latter may by the process of decay may have become utterly useless, as an article of human food, yet still retained the external form of fish. The case of the rotten fish was certainly very strong—much stronger than the roasted salt pork; the latter was still edible, though not merchantable, while the former, by a slower chemical process of putrefaction had become loathsome. . . .<sup>58</sup>

Bullard's contemporaries held him in high esteem. A little over a year after the new Court had begun its sessions, the *Bee* published a number of articles on *Eminent Men of Louisiana*, one of which gave a sketch of Bullard and compared the ability of the old Court with that of the new. Of Bullard it said:

This time-honored jurist, statesman and advocate, to whom the jurisprudence of Louisiana owes so much, has been twice upon the Supreme Bench of this State—. . . Not less an accomplished scholar, than a profound lawyer, of those recently upon the Supreme Bench, (not including Martin) he was doubtless first in talents and judicial attainments. Much devoted to literary pursuits, he has been long known, as a forcible and classical writer, and a man of elegant literary tastes. . . . Eminently instructive now, as a speaker this gentleman has been in his younger years, an eloquent and forcible advocate. As a Judge, his decisions have been ever characterized by industry in search of authorities and a lucidness of style, highly creditable to the scholar and the lawyer.<sup>59</sup>

<sup>58</sup> Skinner & Kennedy vs. Western Marine and Fire Insurance Company, 19 *La.*, 273 (275).  
<sup>59</sup> *Bee*, Nov. 24, 1847.

In comparing the members of the previous Court with those of the present, the article stated:

... there is no one, at present upon the Bench, who may, in the extent of his legal lore, compare with the old blind Judge, —no one, who surpasses the veteran Bullard in the elegance of his attainments, or profound knowledge of the civil law.<sup>60</sup>

Among the noble traits of character which Bullard exhibited was the interest he showed in the younger members of the Bar,—“the kindness of his manner, the considerate attention which he bestowed on the obscure advocate, at once restoring confidence and winning gratitude”.<sup>61</sup>

Of the opinions he delivered from the Supreme Bench, his contemporaries said that they were “models of judicial rhetoric, brief, perspicuous, and pointed,”<sup>62</sup> and that they displayed “the legal learning of the eminent jurist, and the classic style of the scholar”.<sup>63</sup>

#### CHAPTER IV

##### LITERARY AND HUMANITARIAN INTERESTS

Some months after the appointment of Henry Adams Bullard to the Supreme Court bench, there occurred an event which was probably only incidental in his career, but which was of great importance in the literary and cultural history of the state. This was the beginning of a movement to form an historical society for the state of Louisiana, similar to those in operation in the eastern part of the country. According to the early newspapers, the first meeting for this purpose took place on May 9, 1835, in the Supreme Court room. The Hon. Henry Bullard presided and J. Burton Harrison was appointed secretary of the meeting.<sup>1</sup> The most important result of this gathering was the passage of a resolution establishing “The Historical Society of the State of Louisiana” and defining its objects and scope.<sup>2</sup> A committee was

<sup>60</sup> *Ibid.*

<sup>61</sup> *Daily Crescent*, April 19, 1851.

<sup>62</sup> *Ibid.*

<sup>63</sup> Ivy, “The Late Henry A. Bullard”, *DeBow’s Review*, XII, 54.

<sup>1</sup> *Le Courier de la Louisiane*, May 14, 1835.

<sup>2</sup> The resolution was as follows: “Resolved, That the gentlemen now present form themselves into an association to be called ‘The Historical Society of the State of Louisiana’, whose scope shall embrace researches into the history of all that country formerly possessed by France and Spain under the name of Louisiana; the production to light of all authentic papers relative thereto, and their perpetuation through the press; the collection of interesting traditions, private histories and pictures of manners of the several races which have peopled that country; the investigation of the progress of jurisprudence, the state of religion, etc. and the condition of the Indian tribes of that whole region.” *Ibid.*

appointed, consisting of Alexander Porter, Bullard, and Harrison, to draw up a constitution for the Society. After arranging for the secretary to correspond with various literary men in the state and for the members to collect information and investigate subjects within the scope of this Society, the meeting adjourned to meet again on the second Monday of January, 1836.<sup>3</sup> At this meeting Bullard was to deliver an address on "The Expediency and Utility of Establishing a Historical Society in this State."<sup>4</sup>

The *Bee* was enthusiastic and perhaps a little too hopeful in its comment on the proposed Historical Society. It stated that:

It is evident that the objects of this society are of the most laudable nature; and it is consolatory to learn that the most intelligent of our citizens are or will be members. The literature of Louisiana has been too long and supinely neglected; but under auspices like those of this society, we have reason to hope that that stigma will be effaced. Most of the eastern states have their own historical societies, which have elucidated in a material degree and authentic manner the annals of their respective localities and predecessors; . . . shall not those of Louisiana be similarly entitled to public estimation under the supervision of such gentlemen as Judges Porter and Bullard; and the contribution of the literati of the State?<sup>5</sup>

Many months later, on January 13, 1836, the Society met again in its first annual meeting, and Judge Bullard delivered the discourse he had been requested to prepare for the occasion.<sup>6</sup> The address was long, well written, and interesting, although Bullard, like most speakers, claimed that he had not been able to make any adequate preparation for it, and that the few remarks he had to offer were intended to show his zeal in the cause which had called them together, rather than as being worthy of the subject or the occasion. Upon its publication, the address called forth favorable notice from the press. The *North American Review* commented as follows:

. . . It is full of authentic and curious information respecting the early history of Louisiana; and the taste, force, and sprightliness of the composition, and the spirit of enthusiasm for letters which it breathes would lead one, who knew no

<sup>3</sup> *New Orleans Bee*, May 13, 1835.

<sup>4</sup> *Courier*, May 14, 1835.

<sup>5</sup> *Bee*, May 13, 1835.

<sup>6</sup> Walter Prichard (ed.), Introduction to "Henry Adams Bullard; First President of the Louisiana Historical Society", *Louisiana Historical Quarterly* (New Orleans, 1917-), XIX (1936), 7.

better, to suppose himself reading the production of a scholar by apprenticeship, by trade, and by exclusion of all other things, and not of one whose early life was passed in stirring scenes of the most romantic adventure, and whose matured powers, in a place of high responsibility and perpetually urgent claims, have been bent to the tasks of one of the austerest sciences. . . .<sup>7</sup>

The *Bee* regretted its inability to publish parts of the discourse and readily agreed with the following compliment which the publishing committee<sup>8</sup> bestowed upon it:

The luminous synopsis the discourse presents of the objects aimed at by the society, and the means of attainment; the felicitous selection with which it has grouped together or tastefully interwoven amidst dry statistics some of the most curious and thrilling incidents of our early history, added to the attractive grace of the composition,—will at once commend the performance to the admiration of the scholar, and the society itself to the generous support of that enlightened public, who are to reap the reward of all its toils and achievements.<sup>9</sup>

It would be worth while to read all of Bullard's discourse in one of its several publications,<sup>10</sup> for it is well written and contains interesting material on the proposed future policies of the Society and on the history of the state. Only a synopsis of it can be attempted here. Bullard opened the address by stating that to minds devoted exclusively to the pursuit of wealth, research into the history of Louisiana and attempts to preserve documents connected with it from oblivion would indeed seem of little value. But he hoped the time had come when pursuits of a literary character would have value, "when those who engage in researches, having only truth for their object, although barren of immediate results, will be regarded as contributing in some measure to the public good, by adding something to the stock of our national literature".<sup>11</sup> Each generation, he thought, was under obligation

<sup>7</sup> "Comment on Discourse before the Historical Society of Louisiana", *North American Review*, 245 vols. (Boston, 1815-1877; New York, 1878- ), XLIII (July, 1886), 281.

<sup>8</sup> This address was the only paper published by the Society from the time of its foundation to the appearance of its *Publications* in 1895. "Address of President Alcée Fortier", *Publications of the Louisiana Historical Society*, 10 vols. (New Orleans, 1895-1917), I (1895), 10.

<sup>9</sup> *Bee*, March 7, 1886.

<sup>10</sup> Henry A. Bullard, "Discourse Delivered before the Historical Society of Louisiana", in French, *Historical Collections of Louisiana*, 5 vols. (New York, 1846-1858), I (1846), 1-28; "Louisiana Historical Researches", *DeBow's Review*, 42 vols. (New Orleans, 1846-1880), III (1847), 20-38; "Address Delivered before the Louisiana Historical Society at Its First Annual Meeting One Hundred Years Ago", *Louisiana Historical Quarterly*, XIX, 21-42.

<sup>11</sup> Bullard, "Discourse Delivered before the Historical Society of Louisiana", in French *Historical Collections*, I, 2.

to its successors to furnish them with the documents and materials by which alone its true character could be judged. And those who have enjoyed the fruits of the labors of the past generations owed it to their memory to preserve a record of their actions, and not to leave their fame to rest "on the loose, and garbled, and exaggerated narrations of contemporary writers, or catch-penny authors of what the world calls history".<sup>12</sup>

Referring to the success of historical societies in collecting and preserving historical material in many of the states of British origin, he called attention to the vastness and comparative newness of the field which the Louisiana Society proposed to explore. Their object was to inquire "into the history of all that country formerly possessed by France and Spain, under the name of Louisiane; to endeavor to bring to light and to perpetuate by means of the press, all authentic papers relating thereto; to collect interesting traditions, private histories and correspondences, and pictures of manners; to investigate the progress of our jurisprudence; the state of religion, and the condition of the Indian tribes in that whole region".<sup>13</sup> Bullard believed that many of the original documents and records for this research were in the archives of Paris, Madrid, Seville, or Havana; some at St. Louis or Natchez; others in the possession of descendants of early settlers. As time passed it would become more and more difficult to gather this material from such widely scattered sources. Therefore, this work should be begun at once.

Having thus defined the objects of the Society, Bullard proceeded to delve more fully into parts of the plan he had outlined,—first, the general history of the province of Louisiana; second, the progress of jurisprudence; third, the condition of the Indian tribes. Under the first head, he gave a brief history of the state from the discovery of the mouth of the Mississippi by La Salle to his own time. He compared the different spirit which characterized the settlement of America by the three great European powers, France, England, and Spain. The object of the Spanish had been the search for gold; that of the French, trade; and both were governed from the mother country. The English came to build homes and to farm and to trade; in many cases they were fleeing from the authority of the crown. Thus they brought with them the germ of self-government which prospered and grew in the

<sup>12</sup> *Ibid.*, I, 2.

<sup>13</sup> *Ibid.*, I, 3-4.

new world. Bullard honored Judge Martin as the best historian the state had produced. His work evinced great labor and research and also showed how scattered were the materials needed for the early history of the state. Bullard considered the most brilliant and important part of the history of the state to begin with the annexation of Louisiana to the Federal Union. The documents which illustrated this period were within reach and should be collected and preserved.

In commenting on the early settlers of Louisiana, Bullard brought out an interesting bit of information. This was the early belief that silk could be cultivated profitably in the state because of the abundance of the mulberry. Bullard regretted that so little had been attempted in this field and hoped that the raising of silk would become extensive at a later date.<sup>14</sup>

In dealing with the jurisprudence of the state, Bullard declared that if he allowed his personal interests to sway him, his address would become a dissertation on that subject. Therefore, he felt it necessary to limit himself to a brief mention of it. The laws of Louisiana, he stated, were different from those of other states of the Union because at their basis was the custom of Paris. With the cession of Louisiana to the United States, trial by jury and the writ of habeas corpus were introduced, without which "there can be no genuine personal security".<sup>15</sup> He also said that although Louisiana had been part of two monarchies, it had never known anything like a right of primogeniture or a privileged class.

Bullard then took up the subject of the Indian tribes. In dealing with these people, he displayed a sympathy toward them unusual for that early period. He commented upon the way the Indian had been caricatured in the fiction and the "miserable ephemeral dramatic trash of the day".<sup>16</sup> He also regretted the extinction of so many of the tribes by the white men.

In concluding his discourse, Bullard made the following statement looking toward the cultural and educational progress of the state:

<sup>14</sup> Although silk could be raised in Louisiana, as far as the mulberry and the silk worm are concerned, the labor problem would make the cost of it prohibitive. Even with slave labor, the cost of production would have been too great. Not only would a vast number of slaves have been needed, but they could never have acquired, in any reasonable time, the deftness and skill which have come to the Orientals from centuries of experience in the culture of silk.

<sup>15</sup> Bullard, "Discourse Delivered before the Historical Society of Louisiana", in French, *Historical Collections*, I, 17.

<sup>16</sup> *Ibid.*, I, 18-19.

Gentlemen, let us endeavor to . . . do something for the cause of letters. Colleges are springing up under the generous patronage of the legislature. . . . The Lyceum of this city promises to unite utility with all that is agreeable in the public discussion of interesting topics. Let us turn aside, occasionally at least, from the worship of mammon, and devote some of our leisure moments, stolen from mere sordid and engrossing pursuits, to the cultivation of liberal studies. . . .<sup>17</sup>

Two days after Bullard delivered his address, the Historical Society again met to complete its organization by adopting a constitution and electing officers.<sup>18</sup> At that time Judge Bullard was honored by being elected first president of the Society. The constitution set forth the principles on which the Society was organized and laid down certain rules and regulations to be observed in conducting its business. It declared the right of the Society to embrace the "investigation of the history and geography of all that country known, at any time prior to the treaty of cession, by the name of Louisiana".<sup>19</sup> Its members were to be persons residing in Louisiana, and honorary members were to be selected from other states and foreign countries. Its officers were to consist of a president, four vice-presidents, a corresponding secretary, a recording secretary who was also to be curator, and a treasurer.<sup>20</sup> To conduct the business of the Society during the intervals between general meetings there was to be a council composed of the Society's officers and five other members. The admission of new members was to be determined by the council who were to vote on the candidates. The meetings of the Society were to be held on the second Monday of January and of May, at which time a paper was to be read by some member chosen by the council. Visitors were to be admitted to these meetings.<sup>21</sup>

The Historical Society is heard of briefly in two newspaper notices before its May meeting. One of these invited all gentlemen who wished to become members to make their intention known and advertised the coming general meeting of the organization, at which Mr. J. B. Harrison was to deliver the discourse.<sup>22</sup>

<sup>17</sup> *Ibid.*, I, 22-23.

<sup>18</sup> *Bee*, Jan. 15, 1836.

<sup>19</sup> *Ibid.*, April 6, 1836.

<sup>20</sup> The officers elected for the year 1836 were: President, Judge Bullard; Vice-presidents, Judge Martin, Alexander Porter, Roman, Canonge; Corresponding secretary, J. B. Harrison; Recording secretary, L. Janin; Treasurer, Dr. Barton; Members of the Council, Ciapp, Eustis, Gray, M'Caleb, Ingalls. *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*, May 4, 1836.

The other notice called a meeting of the council of the Society and "earnestly requested" the members to attend.<sup>23</sup> From this notice, it would seem that the Society was already finding it difficult to make its members work together. From all indications, it fell into decay and became practically extinct soon afterward. Ten years later, in June, 1846, the Society was revived and reorganized by a group of prominent gentlemen.<sup>24</sup> This time the old Judge, François Xavier Martin, was chosen president; his death occurred in December of the same year. In 1847, the Society was incorporated, and Judge Henry Adams Bullard was elected to the presidency for the second time.<sup>25</sup>

It is interesting to compare the constitution of the revived Society, adopted on July 1, 1846, with the one of a decade before. It has a preamble copied from the introductory language of that of the Massachusetts Historical Society, which states that:

The preservation of books, pamphlets, manuscripts and records containing historical facts, biographical anecdotes, temporary projects, and beneficial speculations, conduces to mark the genius, delineate the manners and trace the progress of society in the United States, and must always have a useful tendency to rescue the true history of the country from the ravages of time and the effect of ignorance or neglect. A collection of observations and descriptions in natural history and topography, together with specimens of natural and artificial curiosities, and a selection of everything which can improve and promote the historical knowledge of our country, either in a physical or political view, has been long considered as a desideratum. . . .<sup>26</sup>

The rules and regulations laid down by the constitution were similar to those of the earlier document, except that the number of vice-presidents of the Society was increased to six and a librarian was added to the list of officers. An executive committee of seven members, appointed annually by the president, was added to the organization. Their duty was to collect donations, recommend plans for promoting the ends of the Society and transact such other business as was entrusted to them. Under the new arrangement, the Society was to meet once a month. Another innovation was the collection of five dollars dues annual-

<sup>23</sup> *Ibid.*, May 7, 1836.

<sup>24</sup> The gentlemen were John Perkins, J. D. B. DeBow, E. J. Forstall, Hon. C. Gayarré, Gen. Joseph Walker, and Alfred Hennen. Letter to B. F. French, Esq., May 1, 1850, in French, *Historical Collections*, II (1850), 2.

<sup>25</sup> "Address of President Fortier", *Publications of the Louisiana Historical Society*, I, 11.

<sup>26</sup> "Constitution of the Louisiana Historical Society", in French, *Historical Collections*, II, 3.

ly from each resident member. New members were to be chosen by ballot, the votes of four fifths of those present being necessary for election. There was also a clause providing for the amendment or abrogation of the constitution.<sup>27</sup>

The newly organized Society started off under much better auspices than the old one. In 1847, the state Legislature made it an appropriation of \$2,000 to be used in procuring copies of original documents from Spain. The state also purchased one thousand pages of manuscript collected by Mr. Magne<sup>28</sup> during his stay in Paris. This consisted principally of extracts taken from memoirs, letters, and reports. An index and analysis of certain documents relating to Louisiana, found in Paris, was procured from Mr. Forstall. The Society even delegated one member, John Perkins, Esq., to search in Europe for interesting material relative to Louisiana.<sup>29</sup> Then in 1848, the Society was formally recognized by the state of Louisiana.<sup>30</sup> In Act No. 189 of the General Assembly, "the Secretary of State was authorized and required to deposit with the society all public documents, journals, reports of decisions of the Supreme Court, and publications received from Congress and other States, . . ."<sup>31</sup> But the success of the Historical Society was not destined to continue very long. Again interest in it began to wane; in the 1850's, it apparently ceased to function altogether.<sup>32</sup>

Bullard's interest in the cultural and literary advancement of Louisiana did not end with his connection with the Historical Society. It must be remembered that he was considered one of the few men of his time who led an active public life and still found time for literary attainments. He was also interested in

<sup>27</sup> *Ibid.*, II, 3-4; It is interesting to note the following well-known names in the list of honorary members of the Society in 1846: Joel R. Poinsett of South Carolina, Thomas H. Benton of Missouri, Lewis Cass of Michigan, and Henry Clay of Kentucky. "Members of the Historical Society of Louisiana", in French, *Historical Collections*, II, 15.

<sup>28</sup> Mr. Magne was one of the editors of the *New Orleans Bee*.

<sup>29</sup> "Circular of the Louisiana Historical Society", in French, *Historical Collections*, II, 5-11.

<sup>30</sup> A newspaper write-up of a meeting of the Society in 1848 shows that it was actively functioning. It was stated that after a report of the activities of the members for the past year was read, Mr. Bullard was requested to try to obtain papers relating to the landing of O'Reilly in Louisiana from Mr. Bouligny and any documents left by the late Judge Martin from his heirs. Mr. McCaleb was asked to procure any papers left by the late Judge Porter, relative to Louisiana. The secretary of the Society was to apply to Washington for a certain set of public documents usually distributed to historical societies. It was also asked that the Judiciary of the state co-operate with the Society by furnishing any documentary or historical material which was thought worthy of preservation. The editors of the state were requested to place files of newspapers at the disposal of the Society and copies of any books published relating to the state. *Daily Delta*, Jan. 28, 1848.

<sup>31</sup> W. O. Hart, "History of the Louisiana Historical Society", *Louisiana Historical Quarterly*, III (1920), 112.

<sup>32</sup> Prichard, Introduction to "Henry Adams Bullard: First President of the Louisiana Historical Society", *Louisiana Historical Quarterly*, XIX, 8; Although the Society was revived in 1860 and again in 1877, it was not until 1893 that it was finally established on a permanent basis.

the People's Lyceum, an organization founded for the purpose of promoting education, establishing a library, and instituting a yearly system of public lectures.<sup>33</sup> In 1845, Bullard was invited to deliver an address before this society. It was thought worthy of publication;<sup>34</sup> thus a copy has come down to us. It is in a much lighter vein than the other literary works from his pen, although the title, "The Relative Condition of Man in Ancient and Modern Times," might lead one to think otherwise. The idea behind the address is one often used—that of bringing a well-known man of a past age back to earth at a later period and recording his actions. Bullard chooses to bring back an ancient Latin philosopher and statesman, Marcus Tullius Cicero, and records his reactions to conditions on earth in 1845 in a series of six letters to his friend, Titus Pomponius Atticus (address: Elysian Fields). He pretends to have discovered these letters and translated them "with the help of the best dictionaries, and of my son recently from the University, . . ."<sup>35</sup>

Some portions of the letters are quite amusing; for instance, when Marcus Tullius is introduced to modern clothing, he describes a tie as "a black silk handkerchief fastened by a knot in front, called a 'cravat', the use of which I am ignorant of".<sup>36</sup> Upon being introduced to a new beverage called "Coffee", he writes that he shall endeavor to smuggle in a large supply of it upon his return to the Elysian Fields.<sup>37</sup> His experience with tobacco was not quite so pleasant. In describing his sensations upon smoking, he says, "At first I found nothing pungent or aromatic in the fumes; but in a few moments the earth began to reel, and I became deadly sick at the stomach—a species of intoxication".<sup>38</sup> Letters 2, 5, and 6 are in a more serious vein; the philosopher describes the changes brought about by the art of printing, the superiority of modern representative government over the ancient forms, and the progress man had made in philosophy and science.

Knowing the history of Bullard's ancestry, it is not surprising to find him an active and important member of the New England Society. This society was composed of persons who had migrated

<sup>33</sup> Of its three objects, the Lyceum was only able to accomplish one. The state finally provided for education, and the Lyceum found itself too poor to establish a library. Only the system of lectures was maintained. *Daily Delta*, Oct. 24, 1845.

<sup>34</sup> *Daily Picayune*, April 29, 1845.

<sup>35</sup> Henry A. Bullard, "The Relative Condition of Man in Ancient and Modern Times", in Barnwell, *The New Orleans Book* (New Orleans, 1851), 350.

<sup>36</sup> *Ibid.*, Letter No. 1, 354.

<sup>37</sup> *Ibid.*, Letter No. 1, 355-356.

<sup>38</sup> *Ibid.*, Letter No. 4, 364-365.

to Louisiana from the New England states; it was organized for purely charitable purposes, which were carried on in such a way as to reach cases of distress which did not meet the public eye.<sup>39</sup> The organization held its first anniversary dinner in elegant style in December, 1842. The Hon. Henry Clay was its guest on the occasion.<sup>40</sup> Judge Bullard was the first president of the association<sup>41</sup> and served in that capacity until he was succeeded by Nathan Jarvis in 1849.<sup>42</sup> An annual dinner was held by the society on December 22nd each year. It was preceded by a church service and an address by one of the members. In 1843, Bullard delivered "a highly instructive discourse, relative to the famous Pilgrim Fathers".<sup>43</sup> The dinners were sumptuous affairs at which the food was excellent and the wine flowed freely. The numerous toasts that were given aided materially in this. In 1848, New Orleans experienced a very warm December, and an epidemic of cholera broke out in the city. As a matter of precaution the society dispensed with its dinner that year.<sup>44</sup> In 1849, the following amusing incident occurred when Bullard was called upon to offer a toast. When he rose, some married gentleman called out, "Give us a lecture, Judge". "No", responded Bullard, "you will get lecture enough when you go home".<sup>45</sup> As the reporter remarked, "the Judge had him there!" Bullard's toast again shows his deep devotion to the Union at a time when the slavery question was causing a division of opinion between the North and South. His offering was: "The Union of the States—It must be preserved, in spite of the fanaticism of a few zealots at the North, or a few hot heads at the South".<sup>46</sup>

Bullard's interests did not end with movements of a purely literary or cultural variety. We find that he was actively connected for a number of years with one of the great humanitarian movements of the age, the attempt to form a colony of freed American slaves in Africa. As early as 1835, Bullard was a member of the Louisiana State Colonization Society<sup>47</sup> and was still actively engaged in it as late as 1848. From all indications, he was probably interested in it until his death. In 1835 and

<sup>39</sup> *Picayune*, Dec. 24, 1842.

<sup>40</sup> *Ibid.*, Dec. 21, 1842.

<sup>41</sup> *Ibid.*, Dec. 22, 1842.

<sup>42</sup> *Daily Delta*, Dec. 28, 1849.

<sup>43</sup> *Picayune*, Dec. 24, 1848.

<sup>44</sup> *New Orleans Commercial Bulletin*, Dec. 23, 1848.

<sup>45</sup> *Daily Delta*, Dec. 23, 1849; Bullard was at this time a professor in the University of Louisiana.

<sup>46</sup> *Ibid.*

<sup>47</sup> The movement to colonize American Negroes in Liberia was national in scope. The Louisiana State Colonization Society was a member of the American Colonization Society.

again in 1836, Bullard was appointed on the executive committee of the society, whose duty it was to transact the business that came up during the intervals between meetings.<sup>48</sup>

The members of the Louisiana State Colonization Society were, of course, for the most part, slaveholders. Therefore, they found it necessary to reconcile the colonization movement with the interests of their section. The principles on which the association was formed required that it abstain from all interference with the question of property; that it avoid all connection with those who favored abolition; and that it recommend no measures and support no doctrines that were not suited to conditions in southern and slave-holding states.<sup>49</sup> The members of the society believed that the idea of colonization was "one of the best and happiest efforts of modern philanthropy";<sup>50</sup> that it was a plan which secured "the well-being of both the colored and white population of our own country" and which promised "to shed the most benign influence upon Africa".<sup>51</sup>

For a decade little is heard of the society or its work. Then in 1847, its activities increased to a considerable extent. In that year, Henry Adams Bullard was elected to its presidency, and the society boasted of such distinguished members as John McDonogh, Governor Isaac Johnson, Bishop Leonidas Polk, Maunsell White, Samuel J. Peters and Christian Roselius.<sup>52</sup> A few days after Bullard's election, a general meeting of the Colonization Society was held at which he and several others delivered addresses.<sup>53</sup> In his address, Bullard gave a brief history of the origin of the colony of Liberia. He stated that the idea of colonizing the Negroes had been entertained as early as 1811 by slaveholders in Virginia. Thomas Jefferson himself had been interested in the project. Before the site on the coast of Africa was selected by the Colonization Society for its project, several other places had been considered. It was even proposed to colonize the Negroes in part of the northwestern or southwestern territory of the United States, but this idea was rejected. It was thought that the increase of the white population in these sections would endanger the existence of a distinct and independent colony of

<sup>48</sup> *Bee*, March 25, 1835; April 29, 1836.

<sup>49</sup> *Ibid.*, March 25, 1835.

<sup>50</sup> *Ibid.*, April 29, 1836.

<sup>51</sup> *Ibid.* The free blacks who were sent to Africa adopted a constitution modeled after that of the United States. The right of suffrage was based on intelligence and moral qualifications. The ability to read and write was considered essential. *Daily Delta*, Feb. 9, 1848.

<sup>52</sup> *Ibid.*, April 15, 1847.

<sup>53</sup> *Southerner*, April 20, 1847.

blacks. The success of the African colony had been beyond the expectations of the society. Bullard closed with some appropriate remarks on the motives and patriotism which had originated the colony and the benefits that would accrue to Africa from it.<sup>54</sup>

Following the write-up of the meeting, the editor remarked that if the object of the Colonization Society was to evangelize Negro idolaters in Africa, the society was entitled to all attention and assistance, but not if its intention was to transport the whole Negro population from the United States. This, he said, could never be accomplished. If it could be done, it would be at the expense of Southern interests, for it was out of the question to attempt to cultivate fields of sugar and cotton without slave labor.<sup>55</sup> The above comment is of interest as it gives the viewpoint of the majority of Southerners in regard to slavery at the time.

Returning to Bullard's literary contributions, one must consider a different type of address than those given above. These are the eulogies which he was called upon to deliver after the deaths of certain of his friends. He was an excellent choice to give such addresses, for it is said that "as a speaker, he had the advantage of a face of supreme beauty, which the ravages of excruciating disease . . . did not destroy, a speaking eye and a musical voice".<sup>56</sup> His language was chaste and classical, and, at times, he indulged in "beautiful and appropriate figures".<sup>57</sup> When excited, he spoke with feeling, force, and eloquence.<sup>58</sup> At other times, he was generally didactic, but always explicit and comprehensive and "full of deep and practical thought".<sup>59</sup>

The first work of this type that we find is an unsigned obituary written upon the death of Alexander Porter and published in the *Bulletin* of January 31, 1844. It is the simplest of the eulogies from his pen. After giving an account of Porter's life and career, Bullard pays him the following tribute:

There are few examples of men like Alexander Porter, who, by the unaided energies of their own minds, triumphant over the disadvantages of early fortune and in a foreign land, without the aid of family connections, emphatically artificers of their own fortunes, have so eminently adorned the land

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

<sup>56</sup> *Daily Crescent*, April 19, 1851.

<sup>57</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 56.

<sup>58</sup> *Crescent*, April 19, 1851.

<sup>59</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 56.

of their adoption, and more than repaid the debt of gratitude to the country by which they were so generously received, honored and beloved.<sup>60</sup>

By far the most brilliant of the eulogies is the one upon the death of his friend and colleague, François Xavier Martin. It was delivered in the Hall of the House of Representatives on the evening of January 30, 1847, "to a large and one of the most intellectual audiences . . . ever seen assembled in New Orleans."<sup>61</sup> The *Daily Delta* praised the eulogy highly and printed long excerpts from it.<sup>62</sup> In the language of a later editor, it reflected "great credit on Judge Bullard as well as being an excellent exposition of the life and services of Judge Martin".<sup>63</sup>

It would be of little value here to give a long account of the life of Judge Martin taken from this discourse. Suffice it to say that Bullard gave an ample account of his life and career. Of more interest here is an example of the combined dignity and eloquence of language and style which Bullard used in this discourse. The introduction to the eulogy is beautifully written and might fit the author as well as his subject. He says:

It has been the usage of most polished nations, on the demise of men who had become eminent in any of the departments of public affairs, to set aside a short time to be devoted to the consideration of their merits and their services. . . . This is less important in relation to the successful soldier who has fought the battles of his country, and the distinguished statesman who has skillfully piloted the vessel of state, because history is almost exclusively devoted to recount their exploits and blazon their triumphs; but those whose fame is to be measured by their usefulness, during a long and noiseless career, in the more tranquil and less ambitious pursuits of life, and especially in the magistracy, ought not to be permitted to pass off of the stage without dwelling for a few moments upon their merits, and holding them up as examples worthy of being followed by the generation which is to succeed us.<sup>64</sup>

Almost a third of the discourse is devoted to a discussion of the judicial labors of Judge Martin. In fact, Bullard gives an excellent short history of the law, aside from Martin's connection with it. His opinion of Martin as a jurist was quite high. At

<sup>60</sup> *Bulletin*, Jan. 31, 1844.

<sup>61</sup> *Daily Delta*, Jan. 31, 1847.

<sup>62</sup> *Ibid.*, Feb. 2, 1847.

<sup>63</sup> Walter Prichard (ed.), Introduction to "François Xavier Martin: Second President of the Louisiana Historical Society", *Louisiana Historical Quarterly*, XIX, 43.

<sup>64</sup> Henry A. Bullard, "A Discourse on the Life, Character, and Writings of the Hon. François Xavier Martin, LL.D.", in French, *Historical Collections*, II, 17.

one point, he stated that ". . . Judge Martin exhibited . . . during his long Judicial career, the highest degree of moral courage and firmness of purpose. Nothing could deter him from the fearless expression of his opinion, without the slightest regard to persons. To him, it was quite immaterial who the parties were; as much so as it is to the Geometricalian by what letters may happen to be designated the angle he is about to measure".<sup>65</sup>

In commenting upon Martin's *History of Louisiana*, Bullard marveled that he had found time to write it amidst his other labors. His estimate of the work is interesting and true. He said that "the subject is one full of romantic interest, and though not treated by our author in the most attractive form, yet the work is always referred to with entire confidence in the historical accuracy of its statements, and of the events which it records. It is a faithful repository of materials for more extended and elaborate history".<sup>66</sup>

His analysis of Martin's character is perhaps the best that has come down to us. It was based upon a thirty-year acquaintance with the venerable Judge, twelve of which had been spent in close contact on the bench.<sup>67</sup> In the following passage, he analyses the legal side of Martin's character and shows the important place the law held in his life:

. . . All the powers of his mind were devoted to the law, rather as a profound thinker than a great reader. He investigated particular subjects deeply, rather than attempting to keep up by regular reading with the legal erudition of the day. He rarely indulged even in a momentary flirtation with the Muses, . . . The law had no such rival in his affections, and all the rays of a vigorous intellect were converged on one focus. He enjoyed at the same time a constant serenity of mind, and possessed an equanimity at all times, and under all circumstances, quite remarkable. He was never querulous nor petulant, and even in the ardor of debate in consultation with his colleagues he possessed the most perfect self-control, and never became angry or impatient. . . . Those who have contended with him best know how expert and powerful a wrestler he was—and yet he often detected the fallacy of his own reasoning, and convinced himself that he had been originally wrong. His great peculiarity was in pushing first principles to their most remote, ultimate consequences, let them end where they might. His method of reasoning was

<sup>65</sup> *Ibid.*, II, 26.

<sup>66</sup> *Ibid.*, II, 28.

<sup>67</sup> *Ibid.*, II, 18.

sometimes eminently Socratic, and it was necessary in discussions with him to be extremely cautious how you admitted his premises. . . .<sup>68</sup>

In generalizing upon the hardships of Martin's early life, Bullard again makes a statement which fits his own career as well as that of the older Judge. It is a truth that applies to the lives of many great men. The thought was as follows:

... Few professional men, who were born to affluence and nurtured in luxury and ease, have made a distinguished figure in after life. It is adversity which teaches us the importance of relying upon ourselves, and draws out all the energies and resources of the mind. Nothing discourages and nothing daunts such men. They feel that time and perseverance will not fail to reward their solitary studies, and gratify their long deferred hopes of distinction. The lives of such men are without any striking events or incidents on which the attention of the biographer is fixed; they pursue the even tenor of their way, contented with the cultivation of the intellectual powers, and the distinction which their profession gives them in society.<sup>69</sup>

Bullard concluded the discourse in a way which again shows his deep devotion to the American republic and the principles on which it was founded. He gives, indeed, a succinct statement of the policies of our country and the manner in which it was populated. After commenting upon how thoroughly American Martin, who was born on a foreign shore, had been, he exclaimed:

What a commentary this, upon the liberal institutions of this wide-spread Republic, and the generous spirit of a vast majority of its citizens! It opens wide its arms to receive and cherish all those who, driven by political calamities, or impelled by a hope of ameliorating their condition in life, are wafted to our shores. They bring with them the arts and industry and learning of their country. It matters not what may have been the land of their nativity—it matters not what may have been their condition in early life—it matters not what may have been the religion of their fathers or their own, or in what language their first thoughts may have been uttered—they are welcomed as men and as brothers—they become gradually assimilated to the common mass of citizens, and their origin is perhaps forgotten in a second generation. We become one in feeling—one in opinion, and participators in and contributors to the common renown of our great Republic.<sup>70</sup>

<sup>68</sup> *Ibid.*, II, 36.

<sup>69</sup> *Ibid.*, II, 38-39.

<sup>70</sup> *Ibid.*, II, 40.

Of a different type is the eulogy that Bullard delivered on Seargent S. Prentiss at a meeting of the New Orleans Bar in 1850. For sheer literary beauty and elegance of expression, this eulogy surpasses the more sedate and dignified one on Martin. It is not so much an account of the life of Prentiss as it is an expression of regret that one so brilliant and so full of promise should have passed from the earthly scene while still young. The introduction to this address gives a good example of the beauty of expression employed by Bullard, although it is probably a bit too florid for modern concepts or usage. Since Prentiss was a native of Maine, the northernmost state in the Union, Bullard contended that logically he should have had a temperament as cold as her climate. But, he exclaimed:

Who would have expected to find in a child of Maine, the fiery; inventive genius of an Arabian poet?—an imagination as fertile in original and fantastical creations, as the author of the *Thousand and One Nights*? Let us not imagine that Nature is so partial in the distribution of her gifts. The flora of more Southern climes is more gorgeous and variegated, but occasionally there springs up in the cold North a flower of as delicate a perfume as any within the tropics. The heavens in the equatorial regions are bright with the golden radiance, and meteors shoot with greater effulgence through the air; but over the snow-clad hills of the extreme North flash from time to time the glories of the aurora borealis.<sup>71</sup>

To give another example of Bullard's use of lovely figures of speech, further on he said of Prentiss:

... His conversation resembled the ever-varying clouds that cluster round the setting sun of a summer evening—their edges fringed with gold, and the noiseless and harmless flashes of lightning spreading, from time to time, over their dark bosoms. ...<sup>72</sup>

Bullard praised the eloquence of this young lawyer who could make the dullest subject interesting by the vividness of his imagination. He regretted that he had left so little behind, for many of his most eloquent speeches had been extemporaneous and only lived in the memory of his hearers. Thus Bullard concluded:

<sup>71</sup> Henry A. Bullard, "Seargent S. Prentiss", in McCaleb, *The Louisiana Book* (New Orleans, 1894), 124.

<sup>72</sup> *Ibid.*, 126.

But, alas! the wand of Prospero is broken. We shall no more hear the eloquent tones of his voice, nor admire the specious miracles produced by the inspiration of his genius; for he possessed the only inspiration vouchsafed to man in these latter days. We shall no longer be permitted to laugh over his mirth-provoking wit, nor be melted by his touches of true feeling, nor admire those rich gems which he threw out with such profusion from the exhaustless stores of his imagination. Such is the destiny of earthly things. . . .<sup>73</sup>

Thoughts of his own age and infirmities must have been uppermost in Bullard's mind at this time. In addressing the assembled Bar before delivering this eulogy, he said that it would have been more appropriate if a younger man had addressed them on the melancholy occasion, as he was old enough to be the father of the deceased and was advanced beyond the period when he was able to put his thoughts and feelings into words of appropriate fervor and eloquence. Only the long and warm friendship he had had for Prentiss as well as his ardent admiration for his remarkable abilities and great worth prompted him to make the address.<sup>74</sup> And almost prophetic was the following sentiment:

Who would have thought but that I, worn down with age and infirmity, would have preceded him to the dark vale of the Shadow of Death! Why should I, passed so far beyond the meridian of life, be spared, and he, in the vigor of life and maturity of strength, be cut down by the relentless arrows of the Archer—Death! But that is an inquiry which it may not be proper to pursue. Inscrutable are the ways of Providence, and it becomes us to submit with fortitude and resignation to his decrees.<sup>75</sup>

Less than a year afterwards, Bullard followed Prentiss to the grave.

## CHAPTER V

### DEAN AND PROFESSOR IN THE UNIVERSITY OF LOUISIANA LAW SCHOOL

Henry Adams Bullard was fifty-nine years of age when he found his career as a jurist ended. Due to ill-health, he probably appeared even older than this, for his contemporaries generally spoke of him as the "venerable" Judge Bullard. He had served an active and useful public life. This would have seemed an ideal

<sup>73</sup> *Ibid.*, 127.

<sup>74</sup> *Daily Delta*, July 7, 1850.

<sup>75</sup> *Ibid.*

time for him to retire and devote himself to pursuits of a literary nature, but this did not occur. Either from choice or from necessity (for financial difficulties seem to have beset the latter years of his life), he continued to work. With the ending of his judicial labors, he resumed the practice of law in New Orleans. Then, in 1847, a new field opened to him. With the establishment of the University of Louisiana, he was appointed a professor in its newly organized Department of Law.<sup>1</sup>

The University of Louisiana was established under the Constitution of 1845, which stated in regard to it:

Art. 137—A university shall be established in the city of New Orleans. It shall be composed of four faculties, to wit: one of law, one of medicine, one of the natural sciences, and one of letters.

Art. 138—It shall be called the "University of Louisiana" and the Medical College of Louisiana, as at present organized, shall constitute the faculty of medicine.

Art. 139—The Legislature shall provide by law for its further organization and government; but shall be under no obligation to contribute to the establishment or support of said university by appropriations.<sup>2</sup>

In 1847, the Law School of the University was finally organized, and the Board of Administrators appointed the following men as professors: Henry A. Bullard, Richard Henry Wilde, Theodore H. McCaleb, and Randell Hunt.<sup>3</sup> Bullard was made Dean of the new law faculty.<sup>4</sup> The course of instruction was divided into the following branches, each professor specializing in one or more of the fields of law:

1. Henry A. Bullard, Professor of Civil Law.
2. Hon. Theo. H. McCaleb, Professor of Admiralty and International Law.

<sup>1</sup> "Henry Adams Bullard", *Biographical Directory of the American Congress, 1774-1927* (Washington, 1928), 758.

<sup>2</sup> *Constitution of the State of Louisiana of 1845*, Title VII, 61-62; The University of Louisiana became Tulane University in 1884 in honor of its great benefactor, Paul Tulane. However, Tulane dates its beginning back to 1835, the year in which the Medical College of Louisiana was organized. The Tulane Law School can date its beginning from the establishment of the faculty of law of the University of Louisiana in 1847.

<sup>3</sup> The members of the first law faculty were all distinguished men. Richard Henry Wilde, as well as being a noted advocate, was a poet, congressman, and Italian scholar. He is probably best known for his lyric, "My Life Is Like the Summer Rose", which Sidney Lanier set to music. Theodore Howard McCaleb was a noted jurist and orator as well as an educator. He served on the law faculty until his death in 1864. Randell Hunt, also a noted lawyer and orator, served in the law school until 1888. He was president of the University of Louisiana from 1867 to 1884. J. M. Steadman, Jr., "Richard Henry Wilde", *Dictionary of American Biography*, 20 vols. (New York, 1928-1936), XX, 206-207; Eugene M. Violette, "Theodore Howard McCaleb" *Ibid.*, XI, 560-561; "Randell Hunt", *The South in the Building of the Nation*, 12 vols. (Richmond, 1909), XI, 528.

<sup>4</sup> Records of the University of Louisiana. These are minute books of the meetings of the Board of Administrators. They are now located in the Tulane Educational Fund office, New Orleans, La.

3. Randell Hunt, LL.D., Professor of Commercial and Criminal Law, and the Law of Evidence.
4. Richard H. Wilde, Professor of Constitutional and Common Law, and Equity Jurisprudence.<sup>5</sup>

The new department offered some peculiar advantages in the study of law. Its classes were held at a time when the courts were in session to afford the student the opportunity of seeing the law at work. More singular, it was the first school in the United States to offer a course in the Roman Civil Law.<sup>6</sup> Thus Bullard had not only the distinction of being the first dean of the first law school in Louisiana but also of being the first Professor of Civil Law in the country.

However, the new Law School suffered for many years from the lack of financial aid. True to the clause in the Constitution, the Legislature made no appropriations for its support. As late as the 1860's, the school was still struggling along with little help. A Report of the Administrators of the University in 1861, looking back on the history of the Law School, states that the learning and ability of its professors had secured for it a reputation comparable with that of the oldest schools in the country. The school had also raised the standards of legal learning in Louisiana, and "contributed greatly, by the general knowledge of law and of the principles of government which it has disseminated, to elevate the character of the people of the State".<sup>7</sup> But the neglect of the Legislature to aid the school by providing it with a suitable class building and a library had impeded its progress. Nor were the professors receiving sufficient remuneration for their services.<sup>8</sup> At first they delivered their lectures in the evening in one of the various Court rooms. Later the faculty were compelled to rent an apartment in a public building at their own expense. The department had no library.<sup>9</sup> Tuition was fixed at \$100, "or \$25 for each Professor",<sup>10</sup> but, undoubtedly, all the expenses of running the school had to be deducted from that sum.

The newly organized Law School was to begin its sessions on the third Monday of November, 1847. Each professor was

<sup>5</sup> "Circular of the Law Department of the University of Louisiana for the Session of 1865-66", in *Catalogues of the University of Louisiana, 1853-1884*, 5-6.

<sup>6</sup> "Report of the Law Department", *Ibid.*, 13.

<sup>7</sup> "Annual Report of the Administrators of the University of Louisiana, 1861", *Ibid.*, 4.

<sup>8</sup> *Ibid.*

<sup>9</sup> "Report of the Law Department", *Ibid.*, 13-14.

<sup>10</sup> *Daily Delta*, Sept. 20, 1848.

to deliver an introductory lecture to which the public was invited.<sup>11</sup> However, the first lecture was not given until the early part of December. Sometime before the school opened, it lost through death its Professor of Constitutional Law, Richard Henry Wilde.<sup>12</sup> It was some months later before another professor was selected to fill the vacancy. The minutes of a meeting of the Administrators, dated May 24, 1848, state that:

A letter from Judge Bullard, Dean of the Law Faculty, recommending the Hon. Thomas Bell Monroe to fill the vacancy in the Law Professorships created by the death of the late Richard Henry Wilde was read and the nomination of Judge Monroe was unanimously confirmed. . . .<sup>13</sup>

Professor Monroe did not join the faculty until the opening of the 1848 session of the Law School.

The first of the introductory lectures given by the professors of the Law Department was delivered by Henry Adams Bullard on the evening of December 6, 1847, in the room of the United States District Court. The *Daily Delta* published the synopses of not only the introductory lectures but also of quite a few of the later lectures.<sup>14</sup> However, only those of Judge Bullard are of interest here. Bullard's introductory lecture drew a large audience, consisting principally of "judicial functionaries, the veterans of the bar, the studious tyros in the profession, and those young gentlemen who are about to be initiated into the mysteries of Themis".<sup>15</sup> Of his discourse, the reporter said that it was "learned, and occasionally eloquent, furnishing ample evidence of the well-stored mind, neat style, and correct taste",<sup>16</sup> for which the Judge was distinguished. In it Bullard traced the origin of the Civil Law and enumerated its sources. He praised highly the Jurisconsults of ancient Rome, "whose labors survive the wreck of empires, and have done so much to humanize remote posterity".<sup>17</sup> The jurisprudence of Spain was glanced at, in so far as it concerned the laws of Louisiana. Bullard then gave an outline of his whole course and stated that he believed the foundation of a school for the study of the Civil Law of Rome

<sup>11</sup> *Ibid.*, June 24, 1847.

<sup>12</sup> Wilde died in New Orleans of yellow fever on Sept. 10, 1847. *Dictionary of American Biography*, XX, 207.

<sup>13</sup> Records of the University of Louisiana.

<sup>14</sup> These are, for the most part, unintelligible to one not acquainted with the study of law.

<sup>15</sup> *Daily Delta*, Dec. 7, 1847.

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

and Spain was an epoch in the history of the Southwest. In conclusion, he paid an eloquent tribute to his late colleague, Richard Henry Wilde.<sup>18</sup>

Bullard's second lecture, delivered before the class of law students, was given on the evening of December 20, 1847. In it he gave an analysis of the Twelve Tables of early Roman law, and then proceeded to take up the next period, carrying it down to the age of Augustus. The reporter said that "the lecture was well attended, and, throughout, was able and instructive".<sup>19</sup> His third lecture was delivered on Christmas Eve. It embraced the period dating from Augustus Caesar to Diocletian, which Bullard described as being the "manhood" of Roman law. And here a pleasant note creeps in, for it is said that after the lecture the "polite and gentlemanly" Marshal invited the professors and students to join him in a glass of egg-nog.<sup>20</sup> The fourth lecture took place a few days later on the 27th. Bullard compared the study of law to the study of geography and proposed to instruct the students in the science of Roman Legislation, by gradually unfolding to their minds the sources from which it had sprung, thus enabling them, with application and study, to master its difficulties. In the course of his lecture, he defined Justice as "the constant and perpetual will to render everyone their due",<sup>21</sup> and Jurisprudence to be the science and study of what is just and unjust—what is right and wrong.<sup>22</sup>

In his fifth lecture, delivered on January 3, 1848, the learned gentleman treated of "Persons". He defined "Person" as being synonymous to man endowed with intelligence and capable of enjoying rights. He claimed that the law must determine what qualities a man must possess to enable him to enjoy these rights. He also described the various conditions and changes that took place in Rome, by which its citizens lost the rights and immunities granted them under the Republic.<sup>23</sup> A sixth lecture was given on January the 24th, in which Bullard discussed the subject of "Actions". In treating this subject, he remarked that it was in vain for men to possess rights without also possessing some means by which an aggrieved person might receive full redress. He

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*, Dec. 21, 1847.

<sup>20</sup> *Ibid.*, Dec. 25, 1847.

<sup>21</sup> *Ibid.*, Dec. 28, 1847.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*, Jan. 4, 1848.

stated that under the Roman law it was never thought necessary to create a separate court to administer Equity. He believed that it was not necessary to have two species of courts, one of Law and one of Equity,—that the distinction between the two was absurd. He showed the origin of "actions" under the Common Law system to be derived from the Civil Law of Rome. It was said that Judge Bullard discussed the subject with remarkable fluency, showing a thorough acquaintance with the various forms by which Justice was administered among the Romans.<sup>24</sup>

Previous to the opening of the 1848 session of the Law School, the following advertisement, signed by H. A. Bullard as Dean of the Faculty, appeared in the *Daily Delta*. It gives a good account of the policies of the School and the course of instruction to be given:

University of Louisiana.....Law Department

The Lectures and Course of Instruction in this Department will commence on the Second Monday of November next, and continue until the 1st of May. They are intended to embrace the most important branches of the Common and Civil Law, Public, International, and Constitutional Law. Lectures will be delivered upon the various branches and subjects by four Professors.

Those by Professor Henry A. Bullard, will embrace—I: The History of the Roman Law from the earliest times. II: An analysis of the general principles of the Roman Civil Law, according to the most approved methods of the German School. III: The jurisprudence of Louisiana, compared with the Roman Law and the codes of France and Spain. IV: An outline of the Land Titles in Louisiana, whether derived from France, Spain or the United States.

Those by Professor Theodore H. McCaleb will treat of—I: Admiralty and Maratime Law, embracing the rights and obligations of masters and mariners, collisions and other maratime torts, general average, salvage, civil and military mariners' contracts, marine insurance and hypothecations, and contracts for maratime services in building, repairing and supplying ships. II: International Law, embracing the Law of Prize and the Practice of Prize Courts; the absolute rights of States; International rights of States in their pacific and hostile relations; treaties of peace and private International Law. III: The jurisdiction of the Courts of the United States, embracing the original and appellate jurisdiction of the Supreme and Circuit Courts, and the original

<sup>24</sup> *Ibid.*, Jan. 25, 1848.

jurisdiction of the District Courts as Courts of Revenue and as Prize and Instance Courts of Admiralty.

The lectures of Professor Randell Hunt will treat of—I: Commercial Law as it relates to mercantile persons, mercantile property and contracts, and mercantile remedies. These Lectures will treat of sole traders, partnerships and corporations; of principal and agent; of bills of exchange and promissory notes, and shipping of bailments and contracts with carriers, contracts of affreightment by charter party and for conveyance in generalship; of freight, jettison and average, salvage and insurance, of sale, guaranties, liens and stoppage in transitu. II: The Criminal Law and Practice in Courts of criminal jurisdiction—and III: Of the Law of Evidence.

Professor Thomas B. Monroe will lecture upon—I: The Common Law and Equity Jurisprudence and Practice, pleadings in civil cases at Common Law—and II: Constitutional Law.

Chief Justice Eustis will deliver a series of Lectures on the rights of persons and the conflict of laws; and Christian Roselius, Esq., will assist as adjunct Professor in the Department of Civil Law.

Students will be expected to produce satisfactory evidence of good moral character.

The Degree of Bachelor of Laws will be conferred only on those who have attended two courses of Lectures, or one full course after having studied at least one year in the office of a Counsellor at Law, and after strict examination by all the Professors. During the Course there will be frequent examinations.

There will be organized, also, a Moot Court, which will be holden once every week, presided over by one of the Professors.

The price of Tickets for the Course is fixed at \$100, or \$25 for each Professor.<sup>25</sup>

In April, 1849, Bullard, in a letter to the Administrators of the University, requested that the Board approve certain changes in the policy of the Law Department. The first of these concerned a shortening of the academic year. It was proposed that it now begin on the first Monday in December and end on the first Monday in April each year. Next it was asked that the students be required to matriculate regularly and to pay a matriculation fee of five dollars. It was also proposed that the Department hold a public commencement on the second Monday of April each year,

<sup>25</sup> *Ibid.*, Sept. 20, 1848.

at which the Degree of Bachelor of Laws was to be conferred by the President of the University in the presence of the professors and Administrators. Bullard concluded by inviting the Administrators to attend the first commencement of the Law School to take place on April 9, 1848. At their meeting, the Administrators approved the first and second changes, proposed to lay the third aside for further consideration, and accepted the invitation to the graduation exercises.<sup>26</sup>

In accordance with the new policy of the Law School, Judge Bullard delivered the opening lecture of the 1849-1850 session on the evening of December 3, 1849. The *Daily Crescent* carried an account of this lecture and commented on the fact that the great number of students present must have been highly pleasing to the faculty. The Law Department, it said, had been an experiment of which many had doubted the success, but since the number of students was steadily increasing, the institution might now be considered as established on a sound and permanent basis.<sup>27</sup>

Bullard's lecture seems to have been of a more general nature than his earlier ones; he appears to have profited by the experience of teaching law. He begins by stating that the Legislature had desired that the science of law be taught at the University in all its branches, but this was not possible. The student could not be expected to master so much in a winter's course. "If in the short space of one winter he managed to learn the elementary principles of the law, and learned but how to study, he will have acquired a great deal—much more, indeed, than many acquired in years of study."<sup>28</sup> The science of law, he stated, was not as difficult as was generally imagined; the whole subject could be reduced to a few main heads. The great difficulty lay in the application of its principles. Bullard went on to explain how, in the course of one lifetime, the law's difficulties are exemplified, as it extended into almost every important relationship in life. Even at death the workings of the law did not cease, for the will was made to act by law long after the body had ceased to act. Bullard explained that the laws of all countries are more or less derived from ancient Roman law, those of Louisiana particularly from the Laws of Justinian. Louisiana, he said, was the only

<sup>26</sup> Records of the University of Louisiana.

<sup>27</sup> *Daily Crescent*, Dec. 4, 1849.

<sup>28</sup> *Ibid.*

Civil Law State in the Union, due to its connection with the governments of France and Spain. He also entered minutely into the history and philosophy of Roman Law.<sup>29</sup>

This proved to be Bullard's last year in the Law School. In September, 1850, he returned to active public life with his election to the 31st Congress of the United States.<sup>30</sup> On October 1, 1850, he tendered his resignation as professor of law to the Administrators of the University of Louisiana.<sup>31</sup> In his place, the brilliant Christian Roselius<sup>32</sup> was elected to fill the chair of Civil Law.<sup>33</sup>

Bullard is said to have been a stern teacher. Afflicted as he was by ill-health, he was often morose and his manner harsh and even petulant.<sup>34</sup> His eulogist described his lectures as being "replete with learning and research in the Roman civil law, as modified and practiced in Louisiana. He traced the history of our system of jurisprudence through its various branches, up to its fountains in the constitutions of the first kings of Rome, the twelve tables, the Praetorian edicts. The opinions of the learned men, the decrees of the Roman senate, the laws of the people of Rome; how in its crude, chaotic state, it was codified by Theodosius, and afterwards by Justinian. He pursued this subject as a poet pursues a wild and beautiful idea, repeating with enthusiasm the words of D'Aguesseau, that 'the proud destinies of Rome were not yet accomplished. She reigns throughout the world by her reason, after having ceased to reign by her authority'."<sup>35</sup>

## CHAPTER VI

### PUBLICITY OF THE LATER YEARS

The life of Henry Adams Bullard appears to have flowed along peacefully and quietly, like one of the bayous of his adopted state, with scarcely a ripple marring its surface until it was near its end. During the years in which he served as congressman and jurist, his name scarcely appeared in newspaper columns,

<sup>29</sup> *Ibid.*

<sup>30</sup> *New Orleans Bee*, Sept. 11, 1850.

<sup>31</sup> Records of the University of Louisiana.

<sup>32</sup> Although a native of Germany and practically self-educated, Christian Roselius attained the front rank of the Louisiana Bar, ranking with Pierre Soulé and Edward Livingston. He served the state also as legislator, state attorney-general, and member of the constitutional convention of 1845. He was a member of the Board of Administrators of the University of Louisiana from 1847 to 1855; professor of Civil Law in the University from 1850 to 1873; and dean of the Law Department from 1865 to 1872. He took great interest in his teaching, and his name is closely connected with the development of the Law School. Herman C. Nixon, "Christian Roselius", *Dictionary of American Biography*, XVI, 164-165.

<sup>33</sup> "Circular of the Law Department . . .", *Catalogues of the University of Louisiana*, 6.

<sup>34</sup> Ivy, "The Late Henry A. Bullard", *DeBow's Review*, XII, 56.

<sup>35</sup> *Ibid.*, XII, 55.

except in relation to one of his literary efforts or in connection with an occasional Whig meeting. Then, in the last few years of his life, he became involved in several controversies which netted him quite a bit of newspaper notice—not always of the most favorable nature.

When Bullard returned to private practice in New Orleans in 1846, he became an attorney for the Second Municipality<sup>1</sup> of that city. In 1848, he represented the Municipality in a case that came up in the United States Circuit Court in connection with the famous Batture. The case was probably not of great importance in the history of that controversy, but it afforded the saucy and democratic *Daily Delta* an opportunity to poke fun at some of the persons involved in it. The result was rather hilarious, particularly when one considers that it was not so to Bullard and his colleagues.

It appears that the incident had its beginning when a certain young lawyer, Mr. Henry St. Paul, applied for and was granted a petition by the Court by which he proceeded to invest his clients, the Deslondes, with the possession of the immense property known as the Batture, without any regard for the claims of the heirs of Bertrand Gravier and Edward Livingston and of the Second Municipality to the same property. In the words of the *Delta*, the energetic young lawyer had performed the "miracle of catching a weasel asleep, by snapping a judgment on our cutest and most wide-awake and venerable attorneys, . . ."<sup>2</sup> It went on to describe Mr. St. Paul's mode of operation as prompt, summary, and decided, "whilst the venerable counsellors of his opponents were quietly dosing away in blissful unconsciousness of what was going on, fondly hoping and believing that this case would furnish them a pleasant and profitable legal recreation for the balance of their lives, with a prospect of bequeathing it to their heirs, . . .".<sup>3</sup>

Several days after the confirmation of the petition, Judge Bullard of the counsel for the Second Municipality, "happening to lounge into Court with his answer to Mr. St. Paul's petition, was thrown into a state of the most alarming surprise, horror,

<sup>1</sup> At this time, the city of New Orleans was divided into three municipalities, having a common mayor but separate councils. The First Municipality consisted of the original city or the Old Quarter of Town, extending from Canal St. to Esplanade Ave. The Second Municipality extended from Canal St. to the City of Lafayette, and the Third lay below Esplanade. The three were finally consolidated in 1852. "Map Showing the Location of the Three Municipalities", *Daily Delta*, June 10, 1849.

<sup>2</sup> *Ibid.*, March 18, 1849.

<sup>3</sup> *Ibid.*

and indignation, by learning that his answer was . . . too late".<sup>4</sup> Judge Bullard, stated the reporter, communicated the disastrous intelligence to his colleague, Mr. Roselius, and the two put their heads together and determined to take a rule to annul the judgment and also to bring Mr. St. Paul up for unprofessional conduct and threaten him with dismissal.

The trial of the rule to annul the judgment came up on March 17, 1849, in the Circuit Court. Mr. Roselius explained the basis of the rule which was mainly that the Circuit Court was without jurisdiction in the case; that the petition and proceedings were of a chancery character and should have been dealt with on the equity side of the Court. Mr. St. Paul objected to the proceedings, saying that this attempt to reverse a solemn judgment of the Court was "no less extraordinary than novel". The only action left to the defendants was an appeal or an action of nullity. Then turning to Judge Bullard, he emphatically exclaimed, "Learn this: you have but two remedies—pursue them." Bullard is said to have laughed rather sarcastically at the admonition, whereupon Mr. St. Paul remarked something about the last resort of weakness.<sup>5</sup>

At this point occurs the most humorous scene of the whole trial. Imagine an elderly and sedate ex-Judge of the Supreme Court practically challenging a fellow member of the Bar to a duel in court, and the presiding Judge finding it necessary to threaten the participants with the rules of the court for violating its dignity and order. Yet this happened. It is said that:

Judge Bullard arose and with much vigor and fire declared that he should not be bullied out of his duty in the matter. The attorney for the plaintiff had better keep his bullyings when it might be necessary, when they came to close quarters. It would avail him nothing now. As to his age, he would assure that *man* that he claimed no protection on that account. If after the decision of the rule to dismiss him, he was not satisfied, old as he was he would hold himself ready to render him any personal satisfaction he desired.<sup>6</sup>

Commented the *Delta*: "This speech of the venerable Judge, who is somewhere in the neighborhood of three score and ten,

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

and has been for many years a cripple, excited quite a stir among the lawyers".<sup>7</sup>

On March 19, the trial was resumed, Judge Bullard giving his arguments in favor of the annulment of the judgment. He spoke with "great spirit, point, and eloquence".<sup>8</sup> In his argument he contended that Judge McCaleb of the Circuit Court had been deceived into entering this judgment, as he had had no idea that the case involved the great Batture question. However, the Court could correct its judgment in all cases where it was discovered to be illegal, and he quoted several cases where United States Courts had done so. He said that such a case as this would not be listened to five minutes before the United States Supreme Court. Besides, he argued, the petition of the plaintiff was a bill in chancery, and the whole proceedings were on the equity side of the court. It did not come under the Code of Practice or authorize a judgment by default. Finally, the judgment was entitled to no consideration or respect whatever, as it settled nothing and could not be enforced.

Turning then to personalities, he remarked on the absence of Mr. St. Paul's colleague, Mr. Pierce, during these proceedings and spoke of him as an honorable lawyer and gentleman who would not participate in a deception such as this. As for Mr. St. Paul himself, Bullard stated that he had no hostile feelings toward him. "But he was determined to do his duty. He would shrink from no responsibility. It was a matter of but little interest to him whether Mr. St. Paul was to be allowed to practice in this court or not. He could say, as Uncle Toby said to the fly, 'in the world, there's room enough for both of us'."<sup>9</sup> Mr. St. Paul must have indeed felt flattered at being so compared.

When Bullard had finished, St. Paul rose to reply. At this point occurred the following delightful bit of repartee. Judge Bullard, it is reported, left his chair and proceeded out of Court, remarking aloud, "I leave my character behind me." To which St. Paul quickly retorted, "Well, sir, you leave nothing."<sup>10</sup>

In his reply, St. Paul seemed to be concerned more in attacking Bullard personally than in defending his side of the case. He

<sup>7</sup> *Ibid.* The *Delta* very generously added ten years to the Judge's life. He was only sixty-one at this time.

<sup>8</sup> *Ibid.*, March 20, 1849.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

first stated that after listening to Judge Bullard he was in doubt whether he or Judge McCaleb was the party accused. If half of what was charged was true, then the Judge was as much liable to impeachment as he was to dismissal. As for Bullard, he said that before he had joined this conspiracy against him, "there was no man in Louisiana whom he respected more than Judge B. He considered that whilst Judge, his ermine was spotless, and as a man he was pure and honorable. He remembered favors rendered to him by Judge B., and was deeply grateful therefor. But now since he, an old man, with one foot in the grave, had sought to blast his (Mr. St. Paul's) prospects—to make his whole future dark and infamous—to ruin every hope of an ardent and ambitious young heart—all kindness, all friendship, all obligations, were gone forever. Coldness, indifference, contempt, had succeeded to all kindly feelings."<sup>11</sup>

A few days later it was apparent that the experienced Bullard and Roselius had won their case. On March 24, the *Delta* published the following judgment on the case of Deslondes' Heirs vs. The Second Municipality, which, it said, nipped in the bud all the bright hopes and gay visions in which the heirs had been indulging:

... the Court having maturely considered the same, doth now order that the judgement taken by default in this case be set aside and that the parties be restored to all their rights as they existed before the rendition of said judgement. And, it appearing to the Court that the case is one which, if cognizable at all by this Court, is only cognizable in equity, it is further ordered that it forthwith be transferred to the chancery docket, to be conducted according to the rules in chancery.<sup>12</sup>

At the same time, the motion taken by Bullard to strike Henry St. Paul from the roll of Attorneys and Solicitors of Courts was dismissed.<sup>13</sup>

The Batture question was again to rise and plague Bullard in April, 1851, just a few days before his death, when the *Delta* resurrected another phase of the question in connection with an approaching election of members of the council of the Second Municipality. The *Delta* based its article on a notarial instru-

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*, March 24, 1849.

<sup>13</sup> *Ibid.*

ment, dated April 3, 1850, by which Judge Henry A. Bullard conveyed "to the firm of ..... & Co., of the city of New Orleans, all and singular his right, title and interest in and to a certain fee due him by the Second Municipality of this city, of Ten Thousand Dollars, for professional services rendered in procuring the passage of an act authorizing the setting apart of a portion of the Batture for the benefit of the city, and attendance on the Legislature for that purpose, at Baton Rouge, during the last session, as well as preparing the memorial presented by the Council of said Second Municipality".<sup>14</sup>

The above-mentioned Memorial of the Council of the Second Municipality of the city of New Orleans, "praying that they be authorized to dispose of the Batture in front of the faubourg St. Mary",<sup>15</sup> was drawn up in January, 1850, and presented on the 28th of the month in the newly opened session of the Legislature.<sup>16</sup> Since the Legislature had the authority to dispose of the Batture and render it subject to private ownership, the memorial pleaded that it be sold and suggested the manner in which the proceeds of the sale be disposed of. Because the city had had the expense of reclaiming and keeping up the Batture between 1820, the year in which it was dedicated to public use by the front proprietors, and 1836, it seemed just that one third of the proceeds should be applied to pay off the general city debt. Since 1836 the Second Municipality had exclusively carried this burden. Therefore, another third should be applied to liquidate its debts. The third third, after all expenses had been deducted, should be paid to the owners of property which fronted on the Batture, as the effect of building it up would diminish the value of their property.<sup>17</sup>

The *Delta* said that, at that time, it had denounced the plan as an attempt to give one third of the Batture to parties who had no legal right to it, to the exclusion of the original owners, who had given the property to the Municipality on the express condition that it be forever kept for public use. On January 28, 1850, that paper had proposed a compromise which provided that

<sup>14</sup> *Ibid.*, April 4, 1851.

<sup>15</sup> *Louisiana Senate Journal*, 3 Leg., 1 Sess. (1850), 21.

<sup>16</sup> In January and February, 1850, there appeared in the *Crescent* a series of articles, giving the history of the Batture, signed "B". This "B" may have stood for Bullard, considering his knowledge of and interest in the case and the fact that the paper, in speaking of the articles, stated that "they are the production of one whose knowledge of facts is to be depended upon, and whose opinions of law are entitled to the highest respect". *Daily Crescent*, Jan. 24, 1850.

<sup>17</sup> *Daily Delta*, Jan. 18, 1850.

the property be sold and the proceeds divided equally, one-third to the city, one-third to the Second Municipality, and one-third to be deposited in the Bank of Louisiana, subject to the decision of the Court between the heirs of Gravier. Since the heirs would most likely be satisfied with a third of the Batture, this compromise, it contended, would certainly benefit the city and the Second Municipality more than prolonging the litigation ever could.<sup>18</sup>

The whole matter was duly considered in the Legislature, and on March 21, 1850, an Act was passed repealing all previous Acts which had provided that no disposition was ever to be made of the Batture. The Act authorized the Second Municipality to lay off two streets on the Batture between New Levee Street and the Mississippi River. The part of the Batture adjoining the river was to be left open and kept so for the accommodation of the public and the convenience of commerce. The last and most important section of the Act stated:

That in the event of an agreement between the original parties to the said compromise of eighteen hundred and twenty, for the sale of said Batture, it shall be the duty of said Council of Municipality No. 2, to lay off into lots, all that portion of said Batture, not reserved in the foregoing acts for streets, and the accommodation of the public and convenience of commerce, and dispose of the same, according to the terms and conditions of said agreement; Provided, that, in the aforesaid agreement a provision is made, that one-third of the net proceeds of the sale of the aforesaid lots shall be appropriated to the liquidation of the debts or liabilities of the General Sinking Fund of the city of New Orleans.<sup>19</sup>

This Act, stated the *Delta*, completely shut the door on Judge Bullard's favorites and let in the original parties to the compromise. "And yet it was for procuring the passage of this act that Judge Bullard claims the pretty fee of \$10,000, as well as for writing a memorial which was never considered or regarded by the Legislature, . . . . Now if Judge Bullard draws \$10,000 for preparing a mode of settling this vexed question, which was never adopted, what does the *Delta* deserve for proposing a plan which was adopted, and which only requires the signatures of the Council of the Second Municipality to be put into operation and to add

<sup>18</sup> *Ibid.*, April 4, 1851.

<sup>19</sup> *Acts of the Third Legislature of the State of Louisiana* (1850), 198.

millions to our oppressed treasury. . . . Who, then, we ask, is entitled to this fee of \$10,000?"<sup>20</sup>

At last appears the reason for the *Delta's* outburst. It states that Judge Bullard's proposition had received the approval of several gentlemen who were candidates for re-election to the Council of the Second Municipality. If these gentlemen were re-elected, the *Delta* felt that they would be bound in honor to satisfy Judge Bullard's claim, as he had faithfully carried out their instructions. Whether the gentlemen would go further and refuse to approve the Act of the Legislature, it could not say. Their organ, the *Crescent*, had strongly condemned the compromise and advised its rejection. The *Delta* urged the people not only to sanction it but to vote for no alderman who would delay the acceptance "of this most feasible and valuable settlement of a long protracted, vexatious, and expensive litigation".<sup>21</sup>

On the following day, the *Crescent* voiced its objection to the mention made of it in the *Delta's* article. It contended that the *Delta* was playing up the Batture compromise in connection with the approaching municipal election. On several occasions that paper had spoken of the *Crescent's* opposition to the Legislative arrangement of the question. On the contrary, it said, "the *Crescent* has urged the adoption of the plan publicly, and one of the editors exerted himself strenuously to perfect the compromise. It is true that we think the present proprietors should receive some compensation for losing the front on the river. But this we thought of minor consequence, when compared with the vast public interests involved".<sup>22</sup> As for the *Delta's* plan to give one third of the proceeds of the sale of the Batture to those persons who were front proprietors in 1820, the *Crescent* contended that they had no interest in the question. For certain advantages, they had abandoned the Batture and afterwards sold their lots fronting on it. They had been paid twice, first by the compromise, and second by the purchase money received from the present owners. Nevertheless, the Legislature had decided in favor of these old owners. The *Crescent* thought it would be more equitable if the present owners were compensated for their exclusion from the levee. At any rate, it said, the expense of keeping up the Bat-

<sup>20</sup> *Daily Delta*, April 4, 1851.

<sup>21</sup> *Ibid.*

<sup>22</sup> *Crescent*, April 5, 1851.

ture had been costly to the Municipality. It censured both parties in its Council for neglecting to sign the Legislative agreement.<sup>23</sup>

In June, 1850, Bullard became involved in a rather bitter controversy with the *Delta*, in connection with the Cuban filibuster, Narcisco Lopez. General Lopez was, at the time, on trial for violation of the laws of the United States by having organized an expedition against Cuba within its borders.<sup>24</sup> A chance remark of the *Delta* was to involve Bullard in this affair, with which he otherwise had nothing to do. In the evening issue of June 7, the reporter for the *Delta* remarked on the tableau the Court had presented the day before. When Lopez came into the District Court for his trial, Bullard was arguing a case before it. Said the *Delta*:

The venerable gentleman who was addressing the Court, Judge Henry Bullard, we are told, in his early days, had been guilty of the misdemeanor charged against Gen. Lopez, having been a member of the celebrated Mina Expedition to Mexico; . . . .<sup>25</sup>

Since the *Delta* was sympathetic to Lopez, this observation was not meant critically or unkindly. Bullard would have done well to let the trivial and inaccurate statement pass unheeded, but he did not choose to do so. The next day the *Crescent* carried a lengthy "card" written by him, denying the *Delta's* assertion.<sup>26</sup> It might have been expected that the elderly and conservative Judge would not have approved of the Lopez fiasco, yet the experiences of his own youth might have made him more tolerant.

In referring to the *Delta's* allusion, Bullard wrote: "I am disposed to think that this was intended by the editors as a compliment, because the commission of such a misdemeanor, it would seem, is in their eyes a great merit, and they are quite liberal of their abuse of such as differ from them in opinion in relation to the late abortive invasion of Cuba. But at the same time I desire to set those gentlemen, as well as the public, right

<sup>23</sup> *Ibid.*; Later in the same year, the Batture affair was finally settled. On June 17, 1851, the Finance Committee of the Second Municipality was given the authority to negotiate with the participants in the compromise of 1820, or their legal representatives, and settle the question in accordance with the Act of the Legislature. Late in August, the Committee reported that, through long and tedious negotiations, they had finally settled, by a notarial act of compromise, the long-pending Batture question. According to the agreement, the Batture was surveyed into squares and lots and sold at public auction. *Crescent*, June 19, August 28, 1851.

<sup>24</sup> David R. Moore, *A History of Latin America* (New York, 1938), 465. The Lopez trial ended in his being acquitted and set free. In 1851, he sailed out of New Orleans at the head of another filibustering expedition to Cuba. It also failed; Lopez and some of his men were captured and executed by the Spanish officials. *Ibid.*, 465.

<sup>25</sup> *Daily Delta*, June 8, 1850.

<sup>26</sup> *Crescent*, June 8, 1850.

as to the part alluded to in relation to myself."<sup>27</sup> He then denied being engaged in the expedition of General Mina.<sup>28</sup> He said that he had entered the service of the Mexican Republic in 1813, five years before the enactment of the act of Congress under which Lopez was being tried.<sup>29</sup> He had found there a provisional government already organized. He was appointed and served as aide-de-camp to the commander-in-chief and as Secretary to that government. At the time, Mexico had armies in the field and was engaged in a desperate struggle with the mother country, "influenced, perhaps, more by the fear of being annexed to the French empire than any positive aversion to Ferdinand the Seventh".<sup>30</sup> But, continued Bullard, there was a difference between this case and the present one; this effort to throw off the Spanish yoke was made by the Mexicans themselves, and not by enlisting the citizens of a neighboring power to commence the hostilities from without. And here he made a very unfortunate statement of which the *Delta* was to take keen advantage: "We went to aid them in the struggle when there was every probability that they would succeed".<sup>31</sup> The generals of the expedition on which he served were natives of the land and not foreigners and adventurers. They were defeated because, with the restoration of Ferdinand to his throne, Spain could send sufficient troops to crush them.

But, he questioned, who had ever heard anything of an organized revolutionary movement against the existing government in Cuba? Then follows an emphatic denunciation of the whole Lopez expedition and, in a way, of the theory of "manifest destiny":

Who does not know that volunteers were enlisted here, not to aid in an existing struggle for independence, but to invade the Island and make war upon the Queen of Spain? Who has not heard that assurances were held out to them that their services would be paid by a sale of the Plaza of the Havana? Who can deny the fact that such an enterprise is not only a violation of the act of Congress of 1818, but at the same time of a treaty of amity with Spain, and of the law of

<sup>27</sup> *Ibid.*

<sup>28</sup> The expedition of General Francisco Xavier Mina to Mexico took place in 1817. It failed as a result of treachery within its own ranks and of the refusal of the Mexican people to rally to its support. Harris Gaylord Warren, "The Origin of General Mina's Invasion of Mexico", *Southwestern Historical Quarterly*, 42 vols. (Austin, 1897-), XLII (July, 1938), 1-20.

<sup>29</sup> The Neutrality Act, passed by Congress in 1818, prohibited, on penalty of fine and imprisonment, the fitting out and arming of vessels and the enlisting of men to be used against a country with which the United States was at peace. *United States Statutes*, 15 Cong., 1 Sess. (1818), 1694.

<sup>30</sup> *Orescent*, June 8, 1850.

<sup>31</sup> *Ibid.*

nations? . . . What analogy is there between my supposed misdemeanor and that with which the followers of Lopez are charged? If the Cubans were in a state of revolt—if there existed a serious struggle on their part it would present a very different question. As matters stand the late enterprise has more the appearance of an attempt to conquer than to liberate, and those Americans who have contributed pecuniary aid best know to what extent it was at the same time a money speculation, and an attempt to acquire cotton, sugar lands, and more negroes.<sup>32</sup>

On the following day, June 9, the *Delta* took occasion to answer Bullard's rather testy "card" in its own inimitable way. Poor Bullard! for that journal twisted every statement he had made to suit its own purposes. Its sarcasm dripped with sugar-coated, double-meaning phrases relative to the Judge. Judge Bullard, it began, had paid the *Delta* the honor of special notice in the preceding day's *Crescent*. The Judge, it said, was "one of those impulsive, ardent, heady 'young-old' gentlemen, who illustrate the words of the poet: 'Still in their ashes live their wonted fires'. Though arrived at three score and ten, he retains, to a remarkable degree, the buoyancy and excitability of juvenility, and is ever ready to take a hand in any fuss or fight that may be going on. We marvel not, therefore, at his lusty attack upon our humble journal. . . . his demonstrations are marked by all the vigor and polish, . . . which distinguished those luminous expositions of the law, so plentifully sprinkled with Latin, French, and Spanish, contained in the countless tomes of Louisiana Reports, and which shine still more conspicuously in the twelve letters, disentombed, it is supposed, from the ruins of Old Callaboose, of Marcus Tullius Cicero to his friend Atticus".<sup>33</sup>

It then proceeded to tear into bits Bullard's explanation of his early filibustering activities. In referring to the Judge's participation in the Mexican revolution, the paper stated that it had erred in attributing to him "more ardor, zeal, and enthusiasm in behalf of liberty" than he had ever displayed. Bullard, like Lopez, it said, had violated a neutrality act. The fact that he went filibustering in 1813, before the act of 1818 was passed, was not an excuse, for the act of 1818 repealed a previous act of 1794 which contained the same provisions. It was to fight against Spain, a friendly power, "that Judge Bullard left the U. S., in 1813, at a time when he might have found abundant employment

<sup>32</sup> *Ibid.*

<sup>33</sup> *Daily Delta*, June 9, 1850.

in our own country, in resisting tyranny".<sup>34</sup> (This was indeed a hit scored on Bullard, all the more effective because of its truth.) As for Bullard's statement that the revolutionists were not influenced so much by any aversion to the Spanish king as they were by apprehension of being annexed to France, the *Delta* remarked:

The Judge, therefore, does not possess the merit of having fought in the cause he went to fight in—one of honest, sincere hostility against Spain; nor does he enjoy that greatest of all merits in Revolutionary operations, of having fought on the successful side. The Judge must, therefore, be content to fall into the class of "filibusters", of marauders and pirates. The Spanish journals, no doubt, at that time so denounced him.<sup>35</sup>

Then seizing upon Bullard's most unfortunate statement, the *Delta* proceeded to poke fun at the poor gentleman. Quoted the *Delta*: "The Judge, with characteristic naivete, says: 'We went to aid them in the struggle, when there was every probability that they would succeed.'"<sup>36</sup> Of which it ironically commented:

Magnanimous men, thus to hazard your lives in a cause that gave you such assurances of its probable success! Unfortunate, however, were you in not realizing those confident expectations. Such disinterested patriotism and love of liberty deserved a better reward!<sup>37</sup>

The Judge's present humble imitators, it stated, "did not wait until 'there was every probability that they would succeed'".<sup>38</sup> These gallant young Americans, having been assured that the Cuban people desired their freedom but were unable to achieve it, volunteered to proceed to Cuba and form the nucleus of a revolutionary movement that was already organized. Like the Judge in 1813, they were unsuccessful. Bullard had remarked that the government in Mexico had been composed of "natives of the country, not adventurers and foreigners", yet under that government, he, an adventurer and a foreigner, had occupied the important posts of Secretary and aide-de-camp. As for Bullard's remarks concerning "the sale of the Plaza" and the "speculation in cotton and sugar lands and negroes", the *Delta* commented that there were probably similar fictions afloat at the time when the

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid.*

<sup>41</sup> *Crescent*, June 11, 1850.

Judge "so heroically rushed to the assistance of the Mexicans, 'when there was every probability that they would succeed!'"<sup>39</sup>

In conclusion, the *Delta* chose to correct what it called an error of a personal character committed by the venerable gentleman. He had accused the editors of the paper of being "quite liberal of their abuse of such as differ from them in opinion, in relation to the late abortive invasion of Cuba". This was quite erroneous, stated the *Delta*, to say nothing of its irrelevancy. The paper abused no one who did not abuse it, but it sometimes refuted and exposed falsehood. As proof of the mildness of its temper and amenity of its manners, it wished to cite its conduct on the present occasion. Its citation was hardly an example of either of the above virtues, but it contained some elements of truth. "Here," it said, "is an ex-Judge of the Supreme Court, coming out in the public papers, and declaring that an individual on trial before the courts of the land, for a high misdemeanor, is clearly guilty as charged! How ought such conduct to be designated. Suppose we were to say it was most improper, unprofessional, and undignified, we should no doubt be charged with 'abusing' a most worthy Judge, though not a few of the bench, the bar, and the community would say that we were not far from the mark. But we do not pursue such a course. We state the facts, and leave the public to make their inferences, which, if unfavorable, will no doubt come under the description of 'abuse', as understood by the ex-Judge of the Supreme Court".<sup>40</sup>

On June 11, Bullard published a second "card", replying to the *Delta's* article of the 9th. It is a much more forcible document than the first one and is of interest because it gives expression to some of his views. He stated that when the editors of the *Delta* made their allusion to him, he had simply attempted to explain at what period and in what way he had been engaged in the service of Mexico. He had supposed that the matter would end there, but, in the *Delta* of the 9th, he was honored with a long article which deserved some notice as it was filled "with personalities, wholly foreign to the question, . . .".<sup>41</sup>

With quiet humor, Bullard remarked, "I do not complain that the author of that article has added nearly ten years to my life, which was long enough before in all conscience. But if I

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

should happen to live ten years longer, I hope I shall always retain sufficient 'juvenileity' to repel an outrage on my character, . . . .<sup>42</sup> However, he did take exception to the author's assertion that he was "ever ready to take a hand in any fuss or fight" that might be going on. This statement be pronounced as utterly false, and, to prove it so, cited his long and distinguished career in Louisiana and defied anyone to show that he had ever been engaged in a fight or what he supposed the author called a *fuss*. His name had been dragged into the columns of the *Delta* to show that others as well as General Lopez had violated the neutrality of the United States. He had thought it proper to show that he had engaged in a foreign service under different circumstances, but that it did not call for the "strain of vituperation and falsehood" which marked the *Delta's* article.

Instead of alluding to him as an offender of some thirty-seven years before, Bullard asked why had not the editors published a list of the distinguished men who were said "to have been concerned in fitting out the late expedition to Cuba, and who were to hold high stations, if it had promised a successful termination".<sup>43</sup> Such a list, he said, would have embraced "the names of at least one Governor of a Southwestern State, the ex-Governor of another, to say nothing of ex-Senators".<sup>44</sup> Those names would have given more respectability and brought more influence to the cause than any allusion to his conduct at so remote a period. "Why," demanded the Judge, "do they not let us know who composed the Junta? who contributed funds? what amount of Cuban bonds were issued, to be redeemed out of the spoils of the Island? That famous Cuban flag, which floats over the office of the *Delta*, and which floats nowhere else; where was it invented? Has that solitary star ever gleamed over the cane fields and the orange groves of Cuba? Did the leaders dare hoist it at the masthead of the *Creole* or the other vessels which conveyed their mighty host? or did they sneak through the Gulf under the broad banner of the Union, and with a false clearance to a foreign port?"<sup>45</sup>

There follows some of the most eloquent and effective writing ever to come from the pen of the Judge. In no uncertain terms, he stated his opinion of the Lopez fiasco:

<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*

Come out, gentlemen, with the whole truth, and let the people know how and by whom they have been so egregiously gulled. I am no volunteer in the utterance of my opinions on this subject, but since I am called out by name, I will say that I am astounded at the delusion and infatuation that prevail around me. Is it Spanish despotism that has roused the people to this sudden outbreak? Why not strike at it nearer the throne of Isabella? Why not fit out an expedition against Cadiz and Barcelona? Is it because there is less booty, though perhaps more beauty in Andalucia or Catalonia? Are the people of Cuba the only oppressed subjects of the Queen of Spain, or is it because there alone are to be found fertile sugar lands and cheaper negroes? Does such a spirit of propagandism become us, the *masters* of these Southern States, who ourselves hold in absolute subjection more than two millions of the laboring population—that population whose labor yields us more than two millions of bales of cotton, and God knows how much sugar, molasses and rice?<sup>46</sup>

In a vein which almost predicted the war that was to come between the North and the South, he continued:

Does no one dream, that hereafter the same spirit of universal freedom, which we are endeavoring to excite against existing institutions and systems of government in other countries, may come back upon ourselves, and that we or our posterity may be compelled to taste the same “poisoned chalice”, which we are preparing for them? How does that spirit differ from the fanaticism so much complained of in the people of the North, who are ready to preach a crusade against that Southern institution, which keeps in subjection so large a portion of our own laboring population?<sup>47</sup>

Bullard stated that he was no advocate of despotic power, but he did not approve of interference in the internal concerns of foreign governments to incite revolt and civil war. He believed that “a people determined and deserving to be free will make an effort themselves, and will be sustained by the sympathies of freemen everywhere”.<sup>48</sup> As examples, he cited the successful struggles of the small countries of Switzerland and the Netherlands against the respective powers of Austria and Spain. He then expressed his surprise at the character of the leader “these advocates for the freedom and independence of Cuba” had chosen. Lopez, he claimed, had been notoriously engaged in putting down

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*

revolution in his own country<sup>49</sup> and had fought against Bolivar.<sup>50</sup> Not only did these advocates laud Lopez, "as if he were the liberator of all the oppressed nations on the face of the earth", but they abused in unmeasured terms the President of the United States for doing his duty in endeavoring to maintain the neutrality of the United States. In disgust, he said he hoped to outlive "this miserable delusion—this spirit which seeks at the same time to excite a revolution in Cuba and to trample on our own laws and government . . .".<sup>51</sup> In conclusion, Bullard stated:

I have done with the *Delta*. I do not expect to be spared but I hope the editors will deal with my opinions and not give utterance to falsehoods touching my character as a man. But let them take what course they please, I will only repeat the words of the poet—

"Let Hercules himself do what he may,  
The cat will mew—the dog will have his day."<sup>52</sup>

Bullard's presentiment was correct; he was not spared. On the following day, the *Delta* returned to the fray with another onslaught. But that journal had more than met its match in the venerable Judge. It did not attempt to defend the Lopez expedition and answer Bullard's assertions concerning it, but contented itself rather with making fun of the Judge's early filibustering activities and with justifying its first allusion to him. With feigned surprise, it stated that it really did not expect its "respectful, and altogether proper and justifiable reply to the extraordinary card of Judge Bullard . . . to provoke so violent a display of wrath, as that manifested by the Judge, in his second attempt at strong writing".<sup>53</sup>

To refer to the allusion which had aroused the Judge's objections, it had merely remarked that, at the time of the Lopez trial, two prominent gentlemen were present who had been engaged at an earlier date in aiding other people in fighting for their liberty against Spain. "The fact referred to was as strictly a historical one, as the retreat of the ten thousand under Xenophon—an event only said to be paralleled, at least in expedi-

<sup>49</sup> Narciso Lopez was a native of Venezuela. His biography states that he held important offices under the Spanish government, before becoming engaged in the project of freeing Cuba. "Narciso Lopez", *Americana*, 30 vols. (New York, 1931-1932), XVII (1932), 618.

<sup>50</sup> Simon Bolivar, known as the Liberator, had probably more to do than any other man with the movement for independence in the South American countries.

<sup>51</sup> *Crescent*, June 11, 1850.

<sup>52</sup> *Ibid.*

<sup>53</sup> *Daily Delta*, June 12, 1850.

tion, by the retrograde movement of the patriots on the plains of Medina—where the Spanish, by a rascally ambush, scattered 'every probability of their (the patriots') success', and caused some of the tallest walking ever performed on this continent".<sup>54</sup>

The *Delta* contended that it had merely cited the case of Judge Bullard to mollify the feelings of those who were disposed to bear down savagely upon Lopez and not from any disrespect for the Judge. He did not choose to regard it so. To his opinion that a foreigner on trial before the courts was guilty and should be punished and to his note accusing the editors of abuse, the *Delta* stated that it took exception, "in an article written with cautious courtesy". The Judge's second card, it charged, was more ferocious than the first. It marvelled that he should have denied its allusion to his "propensity for a fuss or a fight", since that rested on well-authenticated facts of history—his gallant exploits at Medina and "his last display of ferocity in the tremendous onslaught on our flag". To conclude, it remarked:

The Judge's passion is unsuited to the occasion—not justified by anything written by us, goes far to sanction our allusion, and betrays a sensitiveness quite out of place in one whose character and life have been so far above censure and reproach—whose deeds have been so conspicuous in history, and whose sentiments of equity and morality have been embalmed in such choice rhetoric, in the eternal volumes of the Louisiana Reports.<sup>55</sup>

Thus ended the battle of words between Judge Bullard and the editors of the *Delta* over the Lopez affair. However, not many months were to elapse before the *Delta* was again to resurrect and ridicule the filibustering exploits of Bullard's youth.

The third incident that was to net Bullard quite a bit of newspaper space was the spirited congressional election of 1850. The election itself was not of any startling importance; it was merely a special one to fill the uncompleted term of Charles M. Conrad, who had been appointed Secretary of War in the Cabinet of President Fillmore.<sup>56</sup> The Democrats of the state did not think it of enough importance to nominate a regular candidate, so that the contest was purely a Whig one. It was, however, another phase of the old fight between the country and the city to gain some political advantage for their section.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

<sup>56</sup> *New Orleans Bee*, Aug. 14, 1850.

A convention to nominate a candidate to fill this vacancy in the Second Congressional District of the state was scheduled to be held by the Whigs at Donaldsonville on September 9, 1850.<sup>57</sup> Previous to it, the Whigs of New Orleans selected Col. T. G. Hunt as their nominee.<sup>58</sup> The convention met as scheduled and the democratic organ, the *Delta*, carried a full and unsympathetic account of its proceedings.<sup>59</sup> The convention started off merrily with a warm discussion to settle the ratio of voting. Col. Walton, of the city delegation, suggested that the basis of voting be one delegate for every one hundred Whig votes and one for every fraction over fifty. This would have enabled the city and the parish of Jefferson to control the convention. Mr. Kenner, of Ascension, proposed that the number of delegates from each parish should equal their Senators and Representatives. Under this plan the country would have controlled the convention. The city members insisted that their plan of voting had been previously made a party rule; the country members offered no argument in favor of theirs, except the necessity of protecting themselves against the city. Having a greater number present, the country members won their point. The dismay and apprehension of the city delegation was somewhat allayed by the tacit promises of the country members that they would allow the choice of the nominee to go to the city.<sup>60</sup>

In the nominations that were made, Col. Walton nominated T. G. Hunt; Dr. Duffel nominated Aristide Landry; T. G. Mackey nominated Judge Cage; Mr. Bouligny nominated Henry Johnson; —and "a gentleman from Lafourche nominated Judge Bullard".<sup>61</sup> In the voting, the first ballot resulted as follows:

Col. T. G. Hunt.....	14
A. Landry .....	8
H. A. Bullard.....	8
Cage .....	2
Blank .....	3

<sup>57</sup> *Ibid.*, Sept., 2, 1850.

<sup>58</sup> *Ibid.*

<sup>59</sup> *Daily Delta*, Sept. 11, 1850.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*; In July, 1850, both Bullard and Hunt had been nominated to fill vacancies in the state House of Representatives for the Third District. Bullard was elected, but he did not serve at any time in the state Legislature during this period. *Bee*, July 16, 1850.

In consternation the city members moved for a recess, during which they appealed to various country delegates to redeem their promises, but to no avail. On the second ballot, the results were:

Col. T. G. Hunt.....	14
H. A. Bullard.....	18
Blank .....	3

Thus Judge Bullard became the party's nominee. The result, said the *Delta*, seemed to excite no satisfaction or enthusiasm. It fell on the city members "like a cold bath" and didn't seem to give much pleasure to the country gentlemen.<sup>62</sup>

After adopting certain resolutions pledging the devotion of the party to the Union and its support to the Compromise of 1850,<sup>63</sup> the convention adjourned. It was said that Randell Hunt, brother of the city's nominee, concluded the proceedings of the convention with a short speech in which he declared his mortification at the result of the nomination but pledged himself and his friends to support the Whig candidate.<sup>64</sup>

In a rather long article, the *Crescent* objected to the aspersions the *Delta* had cast on Judge Bullard in its report of the convention. It contended that the city's delegation had been for Col. Hunt because they were so pledged before being elected, but that the city, as a whole, was not in favor of him. Judge Bullard, it said, had not permitted his friends to announce him as a candidate.<sup>65</sup> And then it explained Bullard's nomination in one of those pretty little speeches usually connected with men in public life—the party alluded to was not running for the office but would serve if his fellow citizens called upon him to do so. Said the *Crescent*:

With only one of them (his friends) had he conversed freely on the subject. On the last evening he was in the city, previous to the announcement of Col. Hunt, he had stated to one gentleman, his intimate friend and partner, that he felt a deep interest in the settlement of the questions now agitating the country, and that he would consent to serve for the

<sup>62</sup> Although Bullard appears to have spent the greater part of his time in New Orleans after 1834, his legal domicile seems to have been in the rural section of the state. On March 10, 1841, Bullard recorded before the Judge of the Parish of St. Landry his intention of adopting, after that date, the Parish of Rapides as his legal domicile, where his principal establishment existed and where he had resided habitually before his acceptance of public office. Records in the Clerk's Office at Opelousas, La.

<sup>63</sup> *Bee*, Sept. 11, 1850.

<sup>64</sup> *Daily Delta*, Sept. 11, 1850.

<sup>65</sup> *Crescent*, Sept. 11, 1850.

*short session*, if nominated by the Convention, but that he would not electioneer for the nomination, nor allow his friends to do so.<sup>66</sup>

Since that time the Judge had been across the Lake,<sup>67</sup> and had not communicated with any of his friends on the subject. Only recently, when questioned on the Judge's views, did the gentleman alluded to make them known. Thus, without any act on his own part or on the part of his personal friends, was Bullard selected as his party's candidate.<sup>68</sup>

The *Crescent* felt that the *Delta* had misquoted the speech of Randell Hunt, as it could see nothing in the outcome of the convention to mortify anyone. It wished to assure the country Whigs that Bullard's nomination had been warmly received in the city, and that he would unite the strength of his party. "His attachment to the Union", it stated, "his abhorrence and detestation of political fanatics are well known. His age, his experience, his learning, his character, his long identification with Louisiana and her peculiar institutions, eminently qualify him for the station which . . . has been conferred on him by his party."<sup>69</sup>

On September 12, the following notice appeared in the *Bee*, announcing another Whig, Henry Johnson,<sup>70</sup> as a candidate:

Editors of the *Bee*—Please announce Henry Johnson, as a candidate for Representative in Congress from the Second Congressional District. He will be supported by all the Democrats and a majority of the Whigs.<sup>71</sup>

Ex-Governor Johnson was also absent from the city at this time. Since he had been shunned by the regular Whig Convention, some of his friends now brought him forward—without his consent, as was to be proved later. This angle was to make this one of the most unusual elections on record.

<sup>66</sup> *Ibid.*

<sup>67</sup> The Judge was in Pascagoula. The term "across the Lake" is still used by New Orleanians to refer to all that country lying on the opposite side of Lake Pontchartrain.

<sup>68</sup> *Crescent*, Sept. 11, 1850.

<sup>69</sup> *Ibid.*

<sup>70</sup> Henry Johnson, a native of Virginia, served his adopted state of Louisiana well as Governor, Senator, and Representative. He was a delegate to the first State Constitutional Convention in 1812. He was twice elected to the United States Senate, first, in 1818, to fill the vacancy caused by the death of William C. C. Claiborne, and second, in 1844, to take the place of the late Alexander Porter. He served as governor of the state from 1824 to 1828, and in 1834 filled the vacancy in the House of Representatives caused by the resignation of Edward Douglas White. After 1850, he did not again run for public office, but ended his life quietly in the practice of law. "Henry Johnson", *Biographical Directory of the American Congress, 1774-1927* (Washington, 1928), 1152.

<sup>71</sup> *Bee*, Sept. 12, 1850.

Two days after the convention, Judge Bullard accepted the Whig nomination in the following interesting letter:

East Pascagoula, Sept. 11, 1850.

Hon. Benj. Winchester, President of the Whig Convention lately assembled at Donaldsonville—

Dear Sir; I have the honor to acknowledge the receipt of your letter of the 9th inst., conveying to me the unexpected intelligence that the Whig Convention recently assembled have nominated me as their candidate for Congress, as the successor of Mr. Conrad.

I am not at liberty to decline a nomination made under circumstances so flattering to myself; on the contrary, I accept with gratitude this testimony of public confidence, and shall do whatever lies in my power to carry out the views of those who call upon me at this important crisis of public affairs to represent them in the national councils, after a long retirement.

The resolutions passed by the Convention at the same time, of which you have furnished me with a copy, meet my entire and hearty concurrence. They express, in my judgement, the opinions and sentiments of nearly the whole people of Louisiana—that the Union is to be maintained at all hazards, short of an abandonment of the Constitution; and that the basis of the compromise embodied in the report of the Senate's Committee is at the same time just, equitable, republican, and Constitutional; and that its adoption by Congress, whether in a single bill or otherwise, would tend to restore harmony to the country, and to strengthen the Union.

It will be obviously impossible for me, during the few days which remain before the election, to visit every part of the District, but I propose to repair at once to that part where I am in a great measure personally unknown, confident at the same time that those whose wishes I obey in becoming a candidate will sustain the cause with which they, as well as myself, are identified.

I have the honor to be, very respectfully yours, etc.

H. A. Bullard<sup>72</sup>

The *Daily Delta* was the only one of the important newspapers which did not support Bullard, but it was nasty enough in its comments to make up for several. It had an unpleasant

<sup>72</sup> *Crescent*, Sept. 13, 1850.

way, all of its own, of sugar-coating its sarcasm. It lulled its victim with sweet compliments and then slapped him in the face. The *Delta* began its attack on Judge Bullard on September 14, in an article commenting upon his return to the city. It complimented him on the fact that he was looking stronger and heartier than he had in years. He looked, it said, in excellent condition for the race in which he was entered. Then it commented, "Those who imagine that he will be a slow canvasser, will soon awaken to their error. If he cannot walk as fast as some politicians, he can beat almost any of them at talking. He can relate more anecdotes, and sing a better song, than any other man in the District. He has the whole history of the country, and particularly of this State, at his fingers' ends. He speaks fluently French, Spanish, and English. Besides the Judge has been to Congress before, and knows the crooked ways and narrow paths of political management."<sup>73</sup> The Judge, it said, was a ready writer as well as a speaker as was shown in the recent tilt it had had with him. Uncharitably, it now proposed to revive the filibustering activities of Bullard's early life—to prove that only amicable feelings existed on its part.<sup>74</sup>

True to its promise, on September 15th and 17th, the *Delta* published two long, satiric articles on "The Revolutionary Services of Judge Henry A. Bullard".<sup>75</sup> These articles unmercifully ridiculed him in connection with the Toledo expedition to Texas in 1813. To the present-day reader, their humor is delightful, but it must not have been so to poor Bullard.

On September 24, the *Delta* continued the attack, stating that its "special reporter" had seen Judge Bullard in Donaldsonville on the preceding Sunday. Some wag, it said, in alluding to the Judge's pedal defections, had remarked that he could not *run* well, but he had spoken locomotively, not politically. It contended that the Judge was no novice at electioneering. On the Sunday alluded to, he had planted himself on the sidewalk by which the congregation returned from church, and "there, calmly whiffing his cigar, shaking hands with fathers, touching his beaver to mothers, petting juvenile sisters on the head, and asking brothers approaching to maturity what they would take! Folks may say what they will—the Judge, in a canvass, is some!"<sup>76</sup>

<sup>73</sup> *Daily Delta*, Sept. 14, 1850.

<sup>74</sup> *Ibid.*

<sup>75</sup> *Ibid.*, Sept. 15, 17, 1850.

<sup>76</sup> *Ibid.*, Sept. 24, 1850.

The day of the election was set for Monday, September 30. On the previous morning, the *Delta* published another of its articles. This one was in a milder vein, the writer contenting himself with giving a description of the two candidates and with playing upon the sectional differences manifest between the North and the South. Of Bullard, he wrote:

He is a gentleman of fair natural parts, well expanded and improved by reading. . . . His decisions are much admired at the Bar for their luminous style and varied learning. . . . In politics, the Judge is a strict conservative, having a great abhorrence for most of the progressive ideas of the times. Born and educated in New England, he inclines strongly to the old federal doctrines which first emanated from that section of our Union, and is strongly tinctured, in all his opinions, with the sentiment and feeling which the New Englanders, more than the natives of any other part of our country, bear with them wherever they go.<sup>77</sup>

Of Henry Johnson, the writer gave a much more favorable picture. In connection with that gentleman's career in the Senate, he remarked:

Governor Johnson's unvarying kindness of heart and urbanity of manners,—his unobtrusive diligence and devotion to his duties, gained him the confidence of his brother Senators, so that almost any measure brought forward by him was almost certain to pass.<sup>78</sup>

And in conclusion:

The Governor is a Southerner by birth, long residence, sentiment and feeling, and will, if elected, maintain with zeal and fidelity, the rights of the South.<sup>79</sup>

In the same issue, the *Delta* vigorously denied the report of the previous day's *Bulletin*, which stated that "the personal and intimate friends of Governor Johnson in this city, and his family connections in the country, repudiate and denounce the use that is making of his name against the regular Whig candidate". It contended that Johnson had given his friends authority to announce him as a candidate, and that the above report was designed to induce many Whigs who would vote for Johnson to vote for Bullard instead, believing their votes would be otherwise wasted. His friends, it stated, would never have brought him

<sup>77</sup> *Ibid.*, Sept. 29, 1850.

<sup>78</sup> *Ibid.*

<sup>79</sup> *Ibid.*

forward against a regular Whig candidate, "but they deny that there is any such candidate; for they contend that Judge Bullard's so-called nomination was a result of trickery and deception . . .".<sup>80</sup>

To counteract the *Delta's* opposition, two of the city's leading newspapers came to Bullard's aid—the conservative, Whigish *Bee* and the friendly *Crescent*. The clever and popular *Picayune* assumed a nonpartisan attitude. It maintained that as far as it could see, the coming election was causing little excitement. Of the two candidates, it said that Judge Bullard was "an old and distinguished citizen", who was fully capable of performing the arduous duties of the office, and that the Hon. Henry Johnson was as highly esteemed and capable. Whichever were to win, the Second Congressional District would be well represented.<sup>81</sup>

On the day of the election, an article came out in the *Bee* warning the Whigs that the Locofocos<sup>82</sup> were anxious to see Henry Johnson elected in hope that, while they could not send one of their own political faith to Congress, they might "defeat the regular Whig nomination, and create broils and dissensions among their antagonists".<sup>83</sup> Personally, the *Bee* had no objection to Henry Johnson; he was a straightforward and thoroughgoing Whig, who owed the Locofoco party nothing. But there was a regular Whig candidate, and if he were defeated in favor of Johnson, the Whigs would have virtually denounced and repudiated the act of their convention, and infused "joy and exultation in the breast of every Locofoco". Moreover, it said, if the Whigs wish to be represented "by an able, faithful and high-minded Whig, let them vote for Henry A. Bullard".<sup>84</sup>

On the same day, the *Crescent* came out in defense of Judge Bullard, stating that it did not conceive it a departure from its independent position to defend a personal friend, who was unjustly charged and to urge his claims, when the opposition had no candidate in the field. His opponents, it said, had objected to Bullard on the ground that he was not sufficiently progressive in his political creed and, as proof of this, asserted that he had

<sup>80</sup> *Ibid.*

<sup>81</sup> *Picayune*, Sept. 29, 1850.

<sup>82</sup> In the 1830's, the Democratic party was divided into conservatives and radicals. The conservative element controlled the party the greater part of the time. At a meeting in 1835, although in the minority, they attempted to retain control by the ruse of having the lights turned off, hoping that the meeting would adjourn. But the radicals produced candles and locofoco matches and proceeded with the business of the meeting. The newspapers dubbed them "locofocos". The term was applied at first only to radical Democrats in New York, then to all New York Democrats, and finally to all Democrats by their opponents.

<sup>83</sup> *Bee*, Sept. 30, 1850.

<sup>84</sup> *Ibid.*

opposed the new state Constitution (of 1845). The *Crescent* wished to correct those who had been guilty of this statement. Judge Bullard, it stated, had not only favored the new Constitution, but he had thrown his influence behind it. Contending that Governor Johnson had been made a candidate without his consent and would not serve if elected, it described the whole affair as a movement to make an instrument of him to deride and weaken the Whig party. Johnson, it said, had opposed the whole movement in reference to a new Constitution. Therefore, if that was a political sin, it did not lay at Bullard's door.<sup>85</sup>

The election went off in a quiet and orderly manner. In fact, the number attending the polls was small in comparison with previous elections. The *Picayune* attributed this to the fact that many citizens were still away on vacation.<sup>86</sup> The *Bee* ironically commented that the Democrats had had a comfortable time at the election, although many of them had voted for Johnson, purely for the purpose of beating the regular Whig nominee. The Whigs, it said, had helped them in their efforts by either neglecting to vote or by supporting Johnson.<sup>87</sup> The first returns were from the Second Municipality of New Orleans and from Algiers; they gave Bullard 969 votes and Johnson 1,069 votes. The combined votes of Lafayette, Gretna, and Carrollton gave Bullard 176 votes and Johnson 282 votes.<sup>88</sup> Thus the first returns showed Johnson leading Bullard by some 200 votes.

The *Delta*, too, commented on the small vote. That the Democrats did not turn out, it said, was not to be wondered at—they had had no candidate in the field. But that the Whigs, with a regular nominee, and he a gentleman of talents and distinguished reputation, should have made so poor a showing did excite its wonder. "And yet", said the *Delta*, "who will deny Judge Bullard's whiggery—his talents—his learning—his ability? No one will dispute his merits on that score."<sup>89</sup> It then gave its reasons why the Whigs had not been aroused in his behalf. These were that the city delegation had been badly treated at Donaldsonville, resulting in the selection of a candidate they had not even considered, and that Judge Bullard's opposition to the movement for Cuban independence was well known. The people of the sec-

<sup>85</sup> *Crescent*, Sept. 30, 1850.

<sup>86</sup> *Picayune*, Oct. 1, 1850.

<sup>87</sup> *Bee*, Oct. 2, 1850.

<sup>88</sup> *Ibid.*, Oct. 1, 1850.

<sup>89</sup> *Daily Delta*, Oct. 2, 1850.

tion, it contended, were in favor of acquiring that island, both for the protection of commerce and to restore the equilibrium of the South.<sup>90</sup>

Little by little the reports of the vote of the country parishes came drifting in. By October 4, they gave Bullard a slight majority, and the *Delta* said his friends might now "breathe freer".<sup>91</sup> By October 7, the *Bee* gave what it termed the "unofficial returns from the entire district". These showed Bullard to have a majority of about 300 votes.<sup>92</sup>

In the midst of the compilation of the election vote came a telegraphic message from the Hon. Henry Johnson, dated September 28, requesting that his name be withdrawn from the contest.<sup>93</sup> The *Delta* remarked that it would be funny if the Governor should be elected to Congress without his consent.<sup>94</sup> Sensibly, the *Picayune* stated that in all probability Judge Bullard would be elected. But in the event that he was not and Mr. Johnson refused to accept the position, another election would be necessary. It hoped the outcome of this election would teach "the impolicy of voting for a man before ascertaining his wishes on the subject".<sup>95</sup>

Some days later, the papers carried an address by ex-Governor Johnson, explaining the manner in which his name had been put before the public. He stated that, when the vacancy in the Congressional District had appeared, he had remarked to a friend that, although he had abandoned public life, if his election would promote the success of the Compromise bill then before Congress, he would consent to serve. His friend telegraphed this news to New Orleans, and, on the strength of it, his name was presented before the Whig Convention. He was unsuccessful there, but the denunciation of himself by certain Whigs at the Convention, determined his friends to keep him in the field. When he learned of this and that Bullard was the regular party candidate, he telegraphed, declining to be in the race. Johnson then went more fully into the attack that had been made upon him at the Whig Convention, which he thought called for this address. He explained, however, that he did not mean his remarks to apply to

<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*, Oct. 4, 1850.

<sup>92</sup> *Bee*, Oct. 7, 1850.

<sup>93</sup> *Daily Delta*, Oct. 3, 1850.

<sup>94</sup> *Ibid.*

<sup>95</sup> *Picayune*, Oct. 3, 1850.

the members of the Convention generally, many of whom were his friends, or to Judge Bullard, for whom he entertained a high respect and personal friendship.<sup>96</sup>

Thus ended the unusual election of 1850, which technically had but one candidate in the field, and yet that candidate came close to being defeated.

## CHAPTER VII

### THE CLOSING SCENES

When Henry Adams Bullard returned to the National Congress in December, 1850, he found that peace and quiet had come to that once turbulent body. Provoked mainly by the nation's territorial acquisitions at the end of the Mexican War, Congress had been the scene of storm and strife over the slavery issue. The provisions of Clay's Compromise of 1850, while not appeasing the most rabid, had settled the territorial and slavery questions to the satisfaction of the majority. Like Bullard, many of those recently elected to Congress had been chosen because they wished to avoid the danger of Southern secession and supported the Compromise. Thus there was a powerful force which refused to revive the troublesome issues settled by that measure. For the few months during which Bullard served, the efforts of Congress were concerned mainly in assuring the "finality" of the Compromise. For the next few years, the political life of the country returned to normal channels and an "era of good feeling" existed for a time between the North and the South.

On Monday, December 9, 1850, Bullard took his seat in the National House of Representatives for the 2nd session of the 31st Congress.<sup>1</sup> Sixteen years had elapsed since he had last appeared in its halls; now he found few familiar faces there. During the session, he did not enter actively into the debates or business of that body, although he is said to have been prepared to speak on certain bills relating to California. He did not, and the information which he would have been able to give Congress, due to his thorough knowledge of Spanish laws and system of land titles, was lost through his subsequent death.<sup>2</sup>

Shrewd Yankee that he was, Bullard went not to Washington to attend Congress alone. Some time before his departure, he ran the following "card" in the *Crescent*:

<sup>96</sup> *Daily Delta*, Oct. 16, 1850.

<sup>1</sup> *Congressional Globe*, 31 Cong., 2 Sess. (1850-1851), 12.

<sup>2</sup> *Daily Crescent*, April 19, 1851.

The undersigned proposes to attend the Supreme Court of the United States at the approaching term in Washington, and would attend to any cases which may be entrusted to him.

H. A. BULLARD<sup>3</sup>

On December 16, he was admitted as an attorney and counsellor of the United States Supreme Court.<sup>4</sup> He argued three cases before that Bench and was said to have been listened to with marked attention.<sup>5</sup> This, however, did not help him very much, for he won only one of the cases, a minor one involving the dismissal of a writ of error.<sup>6</sup> The other two suits were much more important, being examples of the still unsettled land litigation in the state. Just as Bullard had been a fair and impartial Judge, he now proved to be an able lawyer, twisting the meaning of the law to his own advantage. But before the highest court in the land, it availed him little.

The first case that Bullard argued before the United States Supreme Court was an extremely interesting one, involving the heirs of the Spanish governor of Louisiana, Manuel Gayoso de Lemos.<sup>7</sup> The history of the case had its beginning in 1794 when Gayoso de Lemos, then governor of Natchez, petitioned Carondelet to be allowed to increase the land upon which his house stood to 1000 arpents. The grant for the land was issued in the same year. In 1795, Gayoso transferred this grant to Mrs. Margaret Watts by a written instrument. Either in the same year or early in the next, a private marriage took place between the two. The reasons for secrecy were believed to have been due either to the marriage having been contracted without the permission of the Spanish king or to the necessity of first securing the dispensation of the Pope, as Margaret was a sister of Gayoso's first wife. At any rate, in 1796, Fernando Gayoso was born and was believed to be the legitimate child of Manuel Gayoso de Lemos and Margaret Watts.

When Gayoso became governor of the province of Louisiana in 1797, he brought Margaret and the child to New Orleans with him. At the time, it was currently circulated that there had been a private marriage in Natchez. A little later in the year, the Bishop of Havana, happening to be in New Orleans,

<sup>3</sup> *Ibid.*, Oct. 26-Nov. 1, 1850.

<sup>4</sup> *Ibid.*, Dec. 26, 1850.

<sup>5</sup> *Ibid.*, April 19, 1851.

<sup>6</sup> *Jehiel Brooks, Plaintiff in Error, v. Samuel Norris*, 11 *Howard*, 204.

<sup>7</sup> *Merritt M. Robinson and Marguerite his Wife, Aurore Gayoso, Fernando Gayoso, and Felicite Gayoso, Appellants, v. Wm. J. Minor, James C. Wilkins, and Henry Chotard, Executors of the Last Will and Testament of Katherine Minor, Deceased, Frances Chotard, Katherine L. Wilkins, and Wm. J. Minor*, 10 *Howard*, 627.

publicly solemnized the nuptial ceremony. After Gayoso's death in 1799, Margaret was treated as his widow by the Spanish government and granted a pension equal to half his annual salary. Fernando was always considered a legitimate child.

In 1799, Margaret Watts Gayoso conveyed the tract of land near Natchez, then known as the plantation of Concordia, to Daniel Clark for \$5,000. A year later, Clark sold the land to one William Lintot for double that amount. Later in the same year Lintot sold the land to Stephen Minor, ancestor of the appellants in the case. In 1805, after the Louisiana territory had passed into the hands of the United States, Stephen Minor was confirmed in the possession of this land by the commissioners of that government.

Many years later, in 1832, Fernando Gayoso, on the ground that he was the sole legal heir to the land, filed suit against the heirs of Stephen Minor, demanding that they convey said tract of land to him and account for its rents and profits. The heirs of Minor answered the suit by refusing to admit the legitimacy of Fernando. When the case came up before the United States Circuit Court, it was dismissed. The appellants then appealed it to the United States Supreme Court.

Bullard's argument before the Supreme Court in this case was a brilliant one but was based on rather shallow premises. He contended principally that Margaret Watts Gayoso had had only a life interest in the property and could convey no more than that to any other person. Assuming that the land had been settled on her as a donation in consideration of marriage, Bullard argued that under the Spanish law her right to it was defeasible, as she had contracted a second marriage. Therefore, her right was reduced to a usufruct during her natural life, and upon her death the land would have descended to the heir of her first husband exclusively. Under the Common Law, it was conceded that an only son is the heir of the father. Therefore, according to Common Law, stated Bullard, Margaret Watts had acquired at most a life estate, "with the remainder over in fee to the heir-in-law of Don Manuel Gayoso de Lemos, to wit, Fernando Gayoso. . . ." The fact that Gayoso had turned the land over to her by written instrument, he contended, was no indication that he had given her more than a life interest in it.

At the time that Stephen Minor bought the land, argued Bullard, Fernando was an infant. Therefore, Minor became "the trustee of the legal title of the infant heir, and condemned to

convey the land, and account for the rents and profits".<sup>8</sup> Should it be contended that Minor was an innocent purchaser, Bullard invoked the principle—"that it was 'crassa negligentia' in him not to have examined into the extent of interest owned by Madame Gayoso, for he had at least fair notice that there was some conveyance to her, and it was in his power to ascertain the extent of her interests".<sup>9</sup> He accused the heirs of Minor of having kept back the deed of the instrument of writing by which Gayoso was pretended to have divested himself of the title to the property. In conclusion, Bullard said:

... it does appear to me, that, although the plaintiff exhibits a legal title, on which he might recover in an action of ejectment, yet the proceedings of Minor during the infancy of Fernando were such, in procuring a certificate in his own name, as to raise an implied trust; and that the show of title thus acquired by him throws such a shade over the title of the complainant, as on both grounds to authorize his appeal to a court of equity, and that a court of law could not give him a full and complete remedy.<sup>10</sup>

The chief arguments of the attorney for the defense were—first, that Fernando was an illegitimate child of Gayoso de Lemos and, as such, could not claim heirship; second, even if his legitimacy could be proved, his father was an alien and could transmit naught to his son; third, the certificate of confirmation from the United States government concluded all equitable and legal rights existing before its date and vested an indefeasible title at law and in equity in the appellees.<sup>11</sup>

Justice McLean, in delivering the opinion of the Court, complimented Bullard, stating that the positions of the complainants "were sustained in the argument by much research and ability", but, he continued, the Court was "precluded from taking this view by the political action of the government, and the decisions heretofore pronounced by this tribunal".<sup>12</sup> He said that the fact that Gayoso had executed a conveyance to Margaret Watts, of which there was proof, justified the inference that he had given her absolute title in the land. The heirship of the complainant was admitted as proved, but there was "no other proof in equity than a supposition unsustained by facts, and contradicted by strong circumstances, that a life estate only in the premises was

<sup>8</sup> *Ibid.*, 639.

<sup>9</sup> *Ibid.*, 640.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*, 640-641.

<sup>12</sup> *Ibid.*, 642.

vested in Madame Gayoso".<sup>13</sup> This supposition was also refuted by the fact that, after his death, his widow sold the premises for a full consideration and saw them occupied by a person claiming them in fee for thirty years, without setting up any claim in behalf of her son or informing him that he had a right to the property. Therefore, the decree of the Circuit Court, dismissing the case, was affirmed.<sup>14</sup>

The second case which Bullard argued and lost involved a conflict between a patent for a tract of land near New Orleans issued to General Lafayette in 1825 and a claim advanced by Evariste Blanc to the same land.<sup>15</sup> Blanc based his claim on an alleged Spanish grant to Louis Liotaud. In 1841, George Washington Lafayette and John Hagan brought a petitory action against Evariste Blanc, who had secured the land from Liotaud a little over a year before. In 1846, the case came up in the Parish Court which gave its verdict in favor of Blanc. The plaintiffs, Lafayette and Hagan, appealed to the Louisiana Supreme Court which, in 1848, reversed the judgment. Blanc then sued for a writ of error and brought the case before the United States Supreme Court.

In this case, Bullard acted as the attorney for Evariste Blanc. In his argument, he claimed that the only question the Court was called upon to solve was whether or not the claim of Louis Liotaud was confirmed by the act of Congress of May 11, 1820.<sup>16</sup> Liotaud's title was an imperfect one, but he denied the assertion of the Court of Louisiana that it was not valid under Spanish law. Liotaud had petitioned the Spanish intendant for the grant of land, and accordingly the surveyor-general ascertained that the land was not occupied. Further proceedings were prevented by the change of government in 1803. The report of the United States commissioners to the General Land Office in 1816 classed the claim of Liotaud among those recommended for confirmation. Furthermore, Bullard stated, the commissioners gave the claim favorable mention, although they said that they might have been mistaken in supposing that it had already been confirmed. Bullard thought that all claims thus classed, that

<sup>13</sup> *Ibid.*, 645.

<sup>14</sup> *Ibid.*

<sup>15</sup> Evariste Blanc, Plaintiff in Error, v. George W. Lafayette and John Hagan, 11 *Howard*, 104.

<sup>16</sup> The "Act supplementary to the several acts for the adjustment of land claims in the state of Louisiana", approved May 11, 1820, stated that "the claims for land within the eastern district of the state of Louisiana, described by the register and receiver of the said districts, in their report to the Commissioner of the General Land Office, bearing the date the twentieth day of November, one thousand eight hundred and sixteen, and recommended in the said report for confirmation, be and the same are hereby confirmed against any claim on the part of the United States". *Annals of Congress*, 16 Cong., 1 Sess. (1819-1820), 2588.

were not rejected by the register and receiver, were, according to a just and liberal construction, confirmed by the act of 1820.

If in 1820, continued Bullard, the government confirmed Liotaud's title, then the same land could not validly be patented to General Lafayette in 1825 in remuneration for his public services. It was true that there existed no patent for the land in favor of Liotaud, but Bullard presumed that the Court would hold the provisions of the act of 1820 together with the survey approved by the surveyor-general as equivalent to a patent.<sup>17</sup>

The attorney for the opposition claimed that there had never been a grant or an order of survey or even a permission of settlement in favor of Liotaud. Of over a hundred claims such as his, this was the only case where confirmation was claimed on an abandoned, neglected, or rejected petition. Furthermore, the judgment of the commissioners had been erroneous in this case. He stated that the patent of General Lafayette was in strict compliance with the acts of Congress relative to the subject. The land had been located and surveyed before the patent was issued. It was represented as vacant at the time. Moreover, it was only recently that actual possession had been taken of the land.<sup>18</sup>

Judge Wayne, in delivering the opinion on the case, found "no error in the judgement of the Supreme Court of Louisiana". He stated that there was no proof of either a grant or an order of survey in favor of Liotaud. The claim had been erroneously placed in the class of incomplete French or Spanish grants or concessions. Therefore, it was neither within the letter nor the intention of the act of May 11, 1820.<sup>19</sup>

The third case on which Bullard served was a relatively unimportant one brought up from the Supreme Court of Louisiana by writ of error.<sup>20</sup> This was the only one that Bullard succeeded in winning. Bullard moved that the case against his client be dismissed because the writ of error had not been brought forward within the time limit imposed by law, after the final judgment of the State Supreme Court. Chief Justice Taney delivered the opinion of the Court. He agreed that the five-year limit imposed by the act of Congress of 1789 had elapsed before the writ had been brought. Since one might avail oneself of any objection which appeared on the record, the defendants had the

<sup>17</sup> *Evariste Blanc, Plaintiff in Error, v. George W. Lafayette and John Hagan, 11 Howard, 106-108.*

<sup>18</sup> *Ibid.*, 109-112.

<sup>19</sup> *Ibid.*, 112-114.

<sup>20</sup> *Jehiel Brooks, Plaintiff in Error, v. Samuel Norris, 11 Howard, 204.*

right to take advantage of the lapse of time in the case and ask that it be dismissed.

Congress adjourned on March 4, 1851.<sup>21</sup> Shortly thereafter, Bullard returned to New Orleans. His age, his labors in Washington, the fatigue of the journey home combined to bring on what proved to be his last illness. He lingered for about three weeks after his return to New Orleans. Then on Thursday night, April 17, 1851, Death wrote "finis" to the career of Henry Adams Bullard.<sup>22</sup> The newspaper notices of his death show that the funeral took place on the following day:

#### DIED

Last night, 17 inst., Hon. H. A. Bullard, aged 63 years. His funeral will take place This Afternoon, at 5 o'clock, from his late residence, No. 15 Philippa street. His friends and acquaintances are respectfully invited to attend, without further notice.<sup>23</sup>

The members of the Bar, the Judges of the Supreme Court, and many of the most prominent citizens attended Bullard to his final resting place<sup>24</sup> in the Girod Street Cemetery.

Bullard's contemporaries paid him high tribute after his death. The first was to come from his fellow members of the Bar, who assembled in the Supreme Court room on April 19 for the purpose of "giving expression to the esteem entertained for the character of the late Judge Bullard, and the admiration with which his contemporaries looked upon the elevated qualities of his mind".<sup>25</sup> Christian Roselius, colleague of the deceased, and M. M. Cohen addressed the meeting, speaking in highly laudatory terms of "the public career and brilliant attainments of Judge Bullard". It was resolved at the time that a committee of five, composed of M. M. Cohen, T. A. Clark, L. Hunton, R. N. Ogden, and J. P. Benjamin, draft resolutions expressive of the feelings of the meeting.<sup>26</sup>

Two days later, on April 21, Mr. Cohen presented the following resolutions, honoring the memory of Judge Bullard, to a second meeting of the Bar.<sup>27</sup> They stated that:

<sup>21</sup> *Congressional Globe*, 31 Cong., 2 Sess. (1850-1851), 793.

<sup>22</sup> The cause of his death was diagnosed, at the time, as "gout in the stomach". Such an ailment is unknown to modern medicine. Judging from the protracted nature of Bullard's illness, it may be supposed that he suffered from some digestive trouble.

<sup>23</sup> *Daily Delta*, April 18, 1851.

<sup>24</sup> *Crescent*, April 19, 1851.

<sup>25</sup> *New Orleans Bee*, April 21, 1851.

<sup>26</sup> *Ibid.*

<sup>27</sup> *Crescent*, April 22, 1851.

Whereas the Bar of Louisiana has sustained great loss in the death of a distinguished member of its body, whose brilliant talents, varied attainments, public services, and private worth, deserve a permanent record of the respect and esteem of his compeers;

Whereas a manifestation of the regard and admiration entertained by the living for departed worth, is at once a partial discharge of a debt of gratitude to the illustrious dead, and an incentive to the honorable ambition of the survivors; therefore it is

1. Resolved, That we deeply deplore this afflictive dispensation of Providence, which has removed from us, in the midst of his usefulness, and in the fullness of his fame, our distinguished brother, Henry Adams Bullard.

2. Resolved, That as a jurist he was learned and profound without pedantry, and as a scholar, accomplished and refined without ostentation; and has left on record imperishable memorials of a superior mind.

3. Resolved, That in his intercourse with his brethren of the Bar he was courteous, urbane, and strictly honorable; and

4. Resolved, That towards the younger members of the profession he was, from the generous impulses of his nature, kind, considerate, and encouraging.

5. Resolved, That the Bar of New Orleans deeply deplore the death of Judge Bullard, who fulfilled well and wisely the duties of Judge of the Supreme Court of Louisiana, Secretary of State, and Representative in the Congress of the United States, and Professor of the Roman Law in the University of Louisiana.

6. Resolved, That in his death we lament the loss of one of our brightest ornaments, ripest scholars, ablest lawyers, and most useful citizens.

7. Resolved, That in order to testify their profound sense of his public services and private virtues, the members of the Bar of New Orleans will wear crape on the left arm for the space of thirty days.

8. Resolved, That as a further testimonial of their respect, the Attorney General, and the U. S. District Attorney respectively be requested to present a copy of these resolutions to the Supreme Court, and the U. S. District and Circuit Courts in this city, and to move that they be entered on record on their minutes.

9. Resolved, That the Secretary of this meeting be solicited to transmit copies of these resolutions to the family of the deceased, and to the newspapers for publication.

10. Resolved, That the Reporter of the decisions of the Supreme Court be requested to insert the foregoing resolutions in the next number of the Louisiana Annual Reports.<sup>28</sup>

Upon opening the Supreme Court, the same day, the Attorney-General, Isaac Johnson, submitted the resolutions to that body with the following eulogistic tribute to Judge Bullard:

Possessing a quick, inquisitive, and discerning intellect, aided by an energy or application rarely excelled, Judge Bullard succeeded in storing and enriching his mind not only with the diversified learning of the legal profession, but also with the choicest treasures of literature and of science. He was indeed a man of most undoubted and various talents; and when relaxing from the severe labors of the bench or the bar, in the society of congenial friends, wit, anecdote, and the purest gems of literature in sparkling showers flowed spontaneously from his lips. He was essentially a man of energy and of hope. I saw and conversed with him, a few days since, on his return from Congress. He was worn down and withered by his infirmities; the seal of death, indeed, was visibly stamped on every lineament of his countenance; but his decay was still "impregnate with the divinity". His mind, still brightened with the scintillations of thought, and that sportive vein of humor in which he delighted so much to indulge, throbbed and still fluttered as if unwilling to confess that the wand of the enchanter could ever break.<sup>29</sup>

He then asked that the resolutions of the Bar be "spread on the minutes" and incorporated in the records of the Court.<sup>30</sup> On April 24, the resolutions of the Bar were also "spread on the minutes" of the United States Court.<sup>31</sup>

Those who had been his students in the Law School also assembled to do honor to Judge Bullard. At their meeting, the graduates of the Louisiana Law School adopted the following resolutions, expressive of their feelings on the occasion:

Whereas, it has pleased benign Providence to remove from our midst a man distinguished for his superior accomplishments as a scholar, linguist and jurist; and whereas, in the organization of the Law Department of the University of Louisiana, he was selected as the Professor of Roman jurisprudence, and Dean of the Law Faculty, which highly honorable position he filled with acknowledged ability until called by his fellow citizens to the halls of Congress; and,

<sup>28</sup> "Memoir of Hon. Henry A. Bullard, LL. D., . . ." in French, *Historical Collections of Louisiana*, 5 vols. (New York, 1846-1853), III (1851), 7-8.

<sup>29</sup> *Crescent*, April 22, 1851.

<sup>30</sup> *Ibid.*

<sup>31</sup> *Daily Delta*, April 24, 1851.

whereas, this meeting notices with melancholy pleasure the appropriate proceedings of our brother members of the Bar of New Orleans—

Be it Resolved, That in the death of Hon. Henry A. Bullard, the graduates of the Law Department are called upon to deplore the loss of a talented and beloved Professor, whose intercourse with them, always kind, courteous and encouraging, most successfully blended the required dignity of manner with a parental solicitude for the welfare of his pupils.

Be it Resolved, That he was correctly considered a man of extraordinary attainments in the literature of other languages; that he was a writer of eloquent and classic diction, as well as a profound jurist, and his varied acquirements are a beautiful illustration of his own language, when addressing the class of 1850, that the "Corinthian column was not the less solid, because it was enwreathed with the choicest flowers".

Resolved, That the Alumni of the Law School Department desire to mingle their sympathies with those of the bereaved family in their irreparable loss.

Resolved, That this meeting, wishing to leave a more permanent record of the departed worth and eminent qualities of the deceased, request the administrators of the University of Louisiana to spread upon their minutes the foregoing resolutions, and that a copy be furnished by the Secretary for that purpose.

Resolved, That one of the graduates be selected to deliver, at a suitable time, an eulogy on the life and public character of the deceased.<sup>32</sup>

The press also took notice of Bullard's death in an appropriate manner. The *Crescent*, which had been his friend in life, now published a long and well-written eulogy.<sup>33</sup> The *Bee* regretted the passing of "one of the ablest jurists, ripest scholars, and most polished gentlemen in Louisiana".<sup>34</sup> The *Picayune* honored him as a "profound and varied scholar", and stated that "for classical attainments and taste he had few equals, and accordingly he oramented and exhausted every subject which he touched".<sup>35</sup>

With the opening of the succession of the Hon. Henry Adams Bullard,<sup>36</sup> two facts became known—he had left no will

<sup>32</sup> *Crescent*, April 22, 1851; V. H. Ivy, Esq., was selected to prepare this eulogy. It was published in *DeBow's Review*, Vol. XII, under the title, "The Late Henry A. Bullard". This work and the eulogy which appeared in the *Crescent* (April 19, 1851) are the best contemporary accounts of Bullard's life and have been used throughout this paper for facts and opinions.

<sup>33</sup> *Crescent*, April 19, 1851.

<sup>34</sup> *Bee*, April 19, 1851.

<sup>35</sup> *Picayune*, April 20, 1851.

<sup>36</sup> The papers for the succession of Henry Adams Bullard are to be found in the records of the 2nd District Court, Court House, New Orleans, La.

and he had died insolvent. Nearly three months elapsed, after his death, before an administrator for the succession was appointed; on July 16, 1851, William H. Hagan took over that office at the request of creditors of the estate. According to law, Hagan proceeded to make an inventory of all the money and property belonging to the estate that he could discover. The property, consisting solely of Bullard's law library, was sold at auction for the sum of \$362.91. That sum was added to the money already on hand and appropriated to pay the debts, charges, and expenses against the estate. In the Tableau of Distribution<sup>37</sup> that was drawn up, it was found that Bullard had left assets valued at \$2107.62 and debts to the sum of \$4496.03. After cer-

<sup>37</sup> TABLEAU OF DISTRIBUTION OF THE ESTATE OF HENRY A. BULLARD DECEASED  
(FILED NOV. 15, 1851)

Privileged Debts		
<b>I. Funeral Charges</b>		
To P. Casanave Undertaker .....	\$ 97.80	
To H. Blakesly for Tomb and railing etc. ....	102.20	
N. B. The estate being insolvent, the amount of H. Blakesly's bill which claims \$485—is reduced to the above sum, in order that the sum total of the funeral charges shall not exceed the sum of \$200—according to Act 3161 of the Civil Code.		
II. Rent. John Hagan on account of his claim of \$570, the net proceeds of the sale of books contained in the premises leased .....	307.62	
<b>III. Law charges</b>		
To Stark & Christy, Notaries, for inventory etc. ....	40.00	
To Clerk's fees 2nd District Court .....	18.53	
To New Orleans Bee Advertising .....	27.00	
To Costs of Court in Suit of W. W. Montgomery .....	9.45	
To Costs of Court in Suit of Commercial Bk. ....	7.50	
To Attorney Thomas Curry, Esq. fee .....	100.00	
To W. H. Hagan Administrator, Commissions on \$2107.62 @ 2 1/4 per centum ....	52.69	
<b>IV. Expenses of last Sickness</b>		
To Mary Ann Richardson for boarding, attendance & nursing during last sickness .....	100.00	
To Dr. Pictou for medical attendance during last sickness .....	75.00	
To Dr. Kellogg for medical attendance during last sickness .....	75.00	
<b>V. Servants Wages</b>		
To H. Eclipse for wages due .....	12.00	
<b>VI. Filing tableau &amp; advertising reserved .....</b>		
	\$1024.79	
	20.00	
	<b>\$1044.79</b>	
<b>Ordinary Debts Receiving Pro Rata 30.79 Per Centum</b>		
To W. W. Montgomery on acct. of judgment .....	\$ 517.52	
To Commercial Bank Judgment .....	1800.00	
To D. Knap tailor .....	44.00	
To M. Brickel .....	20.70	
To Nonnen & Cooper & Co. ....	84.84	
To H. J. Williams .....	25.00	
To J. B. Steel .....	14.80	
To A. C. Folger .....	61.00	
To L. York for money loaned .....	21.00	
To J. McDonogh's estate, Judgment in favor of .....	600.00	
To John Hagan bal. rent .....	262.38	
	<b>\$3451.24</b>	
By Cash included in Inventory .....	\$1700.00	
By Cash received from J. E. Morse .....	100.00	
By Cash received from sale of Books inventoried .....	307.62	
	<b>\$2107.62</b>	

tain privileged debts were paid, the rest of his creditors received a little better than thirty cents on the dollar.

Perhaps it would not seem amiss to speculate on why Bullard, the once wealthy planter, should have died insolvent. His eulogist, Ivy, blamed the loss of the fortune accumulated in the early years to the fact that Bullard had devoted the latter half of his life to public affairs. This may well have been the case, for it must be remembered that during the twelve years that Bullard served in the Supreme Court, he had no respite from his duties in which to attend to private affairs. Bullard's fortune, too, might have been swept away in the financial crash that hit the state in 1837. Yet he had earned an ample salary as jurist and must have received some compensation for his service as professor and lawyer thereafter. Why did not he, a competent lawyer, leave a will? Was it because he had previously divided any landed property among his heirs? What had become of the properties in Alexandria and Natchitoches and the later acquired plantation near Opelousas? These questions, like many others concerning his private life, must remain unanswered due to lack of information.

The facts of the life of Henry Adams Bullard having been recorded, it is well now to evaluate him in accordance with them. He was a tireless worker. Almost from birth to the grave, his restless energy was expended in one field or another. It would be hard to find more versatility exhibited in a single lifetime. During his sixty-three years, he had been filibuster, lawyer, planter, legislator, jurist, educator, scholar, linguist, writer, and orator. At an age and under conditions that would have caused lesser men to retire, Bullard's activities continued unabated. Death alone could put an end to his labors.

At the same time, the life of Bullard exhibits well the maxim that a man is radical in his youth and conservative in his age. A filibuster in his own youth, he censured those who engaged in like movements in his age. Yet a reason can be seen for this attitude. Throughout Bullard's life, his love for the Union is exhibited. Often recurring is the sentiment that the Union is precious and must be preserved. When, in the later years, the slavery issue threatened to destroy that Union, Bullard strenuously opposed anything that might lead to a definite break between the North and the South. Although a slaveowner, his

humanity prevented him from believing in the institution. Therefore, his principles placed him beyond the bounds of the growing feeling in the South that it must have more territory and more slaves. They made him a lifelong Whig and a conservative in politics.

Nearly a hundred years have passed since Bullard lived and worked in Louisiana. Time has shown the equity of his principles. It remains but for a later generation to place a stamp of approval upon his work—as jurist, legislator, educator, scholar, and public-spirited citizen, Henry Adams Bullard served Louisiana ably and well.

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## INDIANS OF GRANT PARISH

By ADELE NASH ETHEridge

### 1. TRIBES—LOCATION AND CULTURE

#### A. Greater Tribes

Among the rich fields for archaeological research within the present state of Louisiana, and one thus far practically virgin so far as scientific investigation is concerned, is the parish of Grant. This parish was formed in 1869 from Winn and Rapides<sup>1</sup> and includes a small section of the Red River bottoms (about fifty square miles) while the major portion (about 592 square miles) consists of formerly longleaf hill country.<sup>2</sup>

Colfax, the parish seat, is located on the left bank of the Red River at present, but in 1836 this site was the right bank of the Rigolet du Bon Dieu, the river now having "robbed the old channel of its waters."<sup>3</sup> Within this parish lie the waters of Nantachie Lake, Iatt Lake, Hard Water Lake, D'Artego Bayou, Rigolet du Bon Dieu (popularly called "Rogully"), Darrow Bayou, Gray's Creek, Bayou De Gappe and many smaller streams and lakes. Its western boundary is Red River, its eastern Little River, and touching it at its southeastern corner is the very interesting Catahoula Lake. Many springs of crystal clear water issue from the hills, finding an outlet in the clear streams of the hill country. Even at the present day, game and fish abound within its woods and waters, so that by nature this parish was eminently suited to sustaining the aboriginal natives.

Much information from modern writers is to be had concerning some of the Indian tribes inhabiting Louisiana at the time it became a state (1812); especially is this true of Natchez and Caddo tribes, bordering or near neighbors to Grant Parish.<sup>4</sup> But that particular section included within the present boundaries of the parish seems scarcely to have been known at that time, with the exception of a scant general knowledge of the banks of

<sup>1</sup> *Acts of Louisiana, 1869*, p. 79.

<sup>2</sup> *Biographical and Historical Memoirs of Northwest Louisiana* (Chicago, 1890), 497.

<sup>3</sup> *Ibid.*, 503-504.

<sup>4</sup> William B. Glover, "A History of the Caddo Indians", in *Louisiana Historical Quarterly*, XVIII (Oct., 1935); Robert D. Calhoun, "The Taënsa Indians", in *Louisiana Historical Quarterly*, XVII (July-Oct., 1934).

Red River, so that any data for this region must be subsidiary to that given for the country about Alexandria or Natchitoches or to that of early explorations at Natchez and the Black River country. Since the northwestern part of the parish was until 1851<sup>5</sup> a part of Natchitoches Parish, and the southern, central and southeastern portions a part of Rapides Parish, some information may be gleaned from the work of A. H. Plummer and G. P. Whittington, who have treated these respective parishes at some length.<sup>6</sup>

Dr. John Sibley of Natchitoches, writing to Mr. William Dunbar of Natchez, said in 1805 that there were no settlements between the Rapides (Alexandria) and the mouth of the present Cane River (Colfax),<sup>7</sup> therefore, the Indians within that section—and there is found much evidence of their occupancy—were little known to white people. Our first knowledge of the natives of Louisiana must be gained from the French and Spanish writers of the sixteenth, seventeenth, and eighteenth centuries.<sup>8</sup>

Indians are divided into stocks or groups on several different bases, but the division according to tongue—linguistic division—is found by most authorities to be the most satisfactory arrangement.<sup>9</sup> When resemblance between two languages is not sufficient to show a common origin, the two groups are considered independent families.<sup>10</sup> About fifty-six linguistic stocks are found in North America.<sup>11</sup> Notwithstanding the fact that the number of aborigines in Colonial America has been greatly overestimated,<sup>12</sup> the U. S. Census of 1910 gives about fifty stocks still living in the United States and Canada, though twelve of them were then on the verge of extinction.<sup>13</sup>

At the time Columbus discovered America most stocks occupied adjoining areas, thus showing that Indians were more nearly sedentary than nomadic, though they had probably migrated for physiographic reasons, for safety from their enemies, or for other reasons.<sup>14</sup>

<sup>5</sup> Alcée Fortier (ed.), *Louisiana*, 3 vols. (Century Historical Association, 1914), I, 478.

<sup>6</sup> A. H. Plummer, "The Economic Development of Natchitoches Under the French Regime" (M. A. Thesis, Louisiana State University, 1935); G. P. Whittington, "Rapides Parish, Louisiana—a History", in *Louisiana Historical Quarterly*, XV-XVIII (1932-1935).

<sup>7</sup> Mrs. Dunbar Rowland, *Life, Letters and Papers of William Dunbar* (Jackson, Miss., 1930), 162-163.

<sup>8</sup> Fred B. Kniffen, "The Historic Indian Tribes of Louisiana", in *Louisiana Conservation Review*, IV (July, 1935), 5.

<sup>9</sup> Fortier, *op. cit.*, I, 532.

<sup>10</sup> Livingston Farrand, *Basis of American History*, in Albert Bushnell Hart (ed.), *The American Nation*, 28 vols. (New York, 1906), 91.

<sup>11</sup> J. N. Larned, *The New Larned History*, 12 vols. (Springfield, Mass., n. d.), V, 4348.

<sup>12</sup> Farrand, *op. cit.*, 99.

<sup>13</sup> Clark Wissler, *The American Indian* (Oxford University Press, 1922), 403.

<sup>14</sup> Farrand, *op. cit.*, 96-98.

The names of the earliest tribes who lived in the section now called Grant Parish can not be given with any degree of certainty, but from the linguistic map given by J. R. Swanton,<sup>15</sup> an acknowledged authority on Indians, this territory was occupied about the year 1700<sup>16</sup> by the Caddoan and Natchezan stocks. These formed the greater groups, and each of these was divided into smaller groups.

At the close of the French and Indian War, 1763, between France and England, the former transferred her land east of the Mississippi River (West Florida) to the English, and many of the Muskhogean group of Indians who lived there migrated with the French to Red River. This put another stock into Grant Parish (see footnotes given for each tribe), so that the following is a probable classification of the tribes of the parish from the first known explorers until practically all Indians were either removed from the parish or absorbed by the whites.

Indeed, within the population of the parish today, there are to be found traces enough of Indian blood to show that absorption of the Indian race by the best blood of the whites, as well as by the Negroes, has gone on to a considerable extent, at least so far as to make this parish one among the first to claim original possession of the land.

Chief among the groups inhabiting the parish were: the Natchezan, represented by the Taënsas, the Avoyel and a few of the Natchez; the Caddoan, represented by the Caddo, the Yatasi (Yatassee), the Ouachita, the Adai, the Nantachie, the Coushatta, and the Natchitoches; the Muskhogean, represented by the Choctaw, the Pascagoula, the Chicasaw, the Creek, the Appalachi, the Biloxi, and occasional mention is made of the Iatt as a small tribe within the parish.

Of all these groups probably the most important to the parish were the Natchitoches, the Ouachita, the Avoyel, the Taënsas, and the Choctaw. As evidence of the last-mentioned, Choctaw place names are found in many parts of the parish. Each of these groups, while not belonging exclusively and sometimes not even chiefly to Grant Parish, yet used that parish for hunting, for temporary residence, or for refuge from tribal enemies, and thus affected its original culture.<sup>17</sup>

<sup>15</sup> John R. Swanton, *Indian Tribes of the Lower Mississippi Valley . . .*, in Smithsonian Institution, Bureau of American Ethnology, *Bulletin 43* (Washington, 1911), map opposite title page.

<sup>16</sup> Kniffen, *loc. cit.*, 5, 6 (map).

<sup>17</sup> Swanton, *op. cit.*, (map).

Indians are also classified according to their cultural characteristics, such as manners, customs, and mode of living, which in turn depend to a great extent on the climate of their locality and the food which could be obtained in any particular region. Clark Wissler, an ethnologist of note, divides North America (north of Mexico) into the following cultural areas: The Esquimo, the MacKenzie, the Eastern Woodland, the Plateau, the California, the Plains, the Southwestern, the Southeastern, the North Pacific, and the Nahua.<sup>18</sup> According to this classification, the Indians of Grant Parish belonged to the Southeastern area, but as the western and northern parts of the parish were near the Plains Indians, the people partook somewhat of the habits of those neighbors; also there were certain cultural modifications caused by local conditions, as for example, the grass houses of the Louisiana Caddo instead of tepees like other branches of the Caddoan stock who lived on the Plains and used buffalo hides for covering their tents.

In general, the Southeastern area of North America was a maize-growing region, and here the people were sedentary or semisedentary. They raised maize, cane (a kind of millet), pumpkins, melons, squash, and tobacco. They also had many wild vegetables, berries and roots. For meat they had deer, bear, turkey and many kinds of small game. They made persimmon bread, hominy, hickory-nut oil, and prepared bear oil. They ate fish and frequently used poison to catch them. They lived in rectangular houses having curved roofs covered with thatch or bark, often with mud-plastered walls reinforced with wickerwork, and their villages were surrounded by palisades.

For transportation they used the dugout, and for clothing they wore deerskin, robes of buffalo—shirt-like garments for men, and skirts for women, and moccasins in winter. Some wore fabrics of fiber which they made by the finger-weave process. Sometimes they had cloaks of feathers or buffalo robes, but because of the mild climate of Louisiana, it is probable that Indians of that section wore very scant clothing the greater part of the year. They had mats of cane or splints, baskets of many kinds, and good pottery made by the coil process. They had ceremonial houses for worship, especially of the sun, and kept sacred fires in their temples which were often set on artificial mounds. They had planting and harvest festivals, especially the corn dance. In

<sup>18</sup> Wissler, *op. cit.*, 218-242.

government they had the clan system, with descent in the female line, and loose confederacies. They practiced shamanism, or the rites used by the shamens (medicine men) such as sorcery, fortunetelling and healing the sick.

The Plains area people resembled the maize or southeastern area in many respects but were not agricultural, depending almost entirely on the buffalo for food and clothes, living partly on roots and berries. Their houses were tepees or skin-covered tents which were easily moved as they followed the buffalo. They were thus less sedentary than those of the maize area. Their use of pottery and of basketry was limited, for all their possessions fitted a roving life. They practiced the sun dance and other religious rites. In government they had bands instead of clans which was a looser federation and better suited to a roving life.

All Louisiana, and Grant Parish especially, being near the border of these two areas of culture, exhibited some traits of both.<sup>19</sup>

Since the Natchitoches and the Ouachita were of the Caddo stock, the traits, physical, mental, and cultural, which characterize the Caddo proper, are also largely true of the smaller tribes named.

The Caddo (name means "Chief")<sup>20</sup> were scattered from the Missouri River to the Gulf of Mexico, roaming over east Texas and west and north Louisiana.<sup>21</sup> We do not know whether La Salle in his explorations of Louisiana ever came in contact with them, but tradition says that these Indians lived on both sides of the Red River.<sup>22</sup> The race was tall and well formed, having thin lips and small eyes;<sup>23</sup> they were sedentary about four months of the year and roamed over their hunting grounds the remainder of the time, carrying their tents of skin with them.<sup>24</sup> Their villages consisted of ten or twelve cabins each, built in the shape of a beehive. Young trees were put in the ground, united above by their branches, and then the whole covered with grass.<sup>25</sup> The

<sup>19</sup> *Americana*, XV, 45; Farrand, *op. cit.*, 132-147, 163-175; *New International Encyclopedia*, XII, 113; Wissler, *op. cit.*, 1-239; Larned, *op. cit.*, 4348.

<sup>20</sup> William A. Read, *Louisiana Place Names of Indian Origin*, in *Louisiana State University Bulletin*, XIX (Feb., 1927), 14.

<sup>21</sup> Daniel G. Brinton, *The American Race* (Philadelphia, 1901), 95.

<sup>22</sup> Whittington, *loc. cit.*, XV, 572.

<sup>23</sup> Brinton, *op. cit.*, 95.

<sup>24</sup> Farrand, *op. cit.*, 142; Brinton, *op. cit.*, 96.

<sup>25</sup> Frederick W. Hodge (ed.), *Handbook of American Indians North of Mexico*, in Smithsonian Institution, Bureau of American Ethnology, *Bulletin 50* (Washington, 1907), Part I, 181-182.

beds were arranged around the cabins three or four feet from the ground,<sup>26</sup> often covered with a canopy of canes lined with bright colors.<sup>27</sup> They had "town houses", or larger buildings, for their ceremonies and conferences.<sup>28</sup> They practiced agriculture more than any other Plains peoples, raising maize, pumpkins, squash, beans, and melons.<sup>29</sup> To prepare the fields for their crops, the undergrowth and vines were cut and piled on the ground, then the trees were barked for a distance of two feet above the ground. After drying for a few weeks, the brush was burned. White people later used this method of clearing ground. A tool which often served the purpose of a hoe for tillage was made of a flattened stick, but "there were probably other hoes made of the shoulder blades of the buffalo".<sup>30</sup>

There were also in their native woods many vegetable foods which grew wild and which were widely used, such as persimmons, berries, nuts, pond lily-roots;<sup>31</sup> and there grows in this country an odd form of underground stem called by the white natives today "Indian bread", which tradition says was an article of food to the native red man. Salt was obtained from numerous "salines" above Bayou Pierre,<sup>32</sup> and doubtless from the many "licks", as they were popularly called, which are places where a considerable percentage of salt is found in the soil and which cattle now seek to lick the salt.

For grinding their corn they used stone mortars, bowl-shaped rocks depressed on one or both sides, in which they pounded the corn with another rock,<sup>33</sup> and which are now found scattered widely over the parish, having served the pioneer white man as chicken drinking troughs or in place of hinges for swinging of gates.

Hunting and fishing furnished much of the natives' food, and for these they used the bow and arrow (as is evidenced by the many arrowheads found) and hooks made of pieces of bone. For clothing they wore mantles of vegetable fiber, woven into cloth and often adorned with feathers,<sup>34</sup> or the hides of buffalo—when

<sup>26</sup> John Gilmary Shea (ed.), *Early Voyages Up and Down the Mississippi* (Albany, 1861), 204-205.

<sup>27</sup> M. R. Harrington, *Certain Caddo Sites in Arkansas* (Museum of the American Indian, Heye Foundation, New York, 1920), 248-259.

<sup>28</sup> *Ibid.*, 260.

<sup>29</sup> Brinton, *op. cit.*, 96; William Fisher (comp.), *New Travels Among the Indians of North America* (Philadelphia, 1812), 181; Farrand, *op. cit.*, 142.

<sup>30</sup> Kniffen, *loc. cit.*, 5.

<sup>31</sup> *Ibid.*

<sup>32</sup> Rowland, *op. cit.*, 164.

<sup>33</sup> Harrington, *op. cit.*, 237.

<sup>34</sup> Hodge, *op. cit.*, Part I, 181.

they wore any clothing at all. These Indians were, like all other Indians and like all primitive people generally, fond of ornaments, wearing ear pendants of wood or shell and beads of the same materials for collars, amulets and necklaces.<sup>35</sup>

They were divided into weak clans,<sup>36</sup> since they were mingled so much with the Plains Indians who had bands, and descent was through the female line.<sup>37</sup> Their chief was hereditary and powerful and had retainers who carried out his wishes.<sup>38</sup> Their clans were named for the animals from which they believed themselves descended, such as Bear, Eagle, Raccoon, etc., and no one would kill the particular kind of animal or bird from which his clan took its name.<sup>39</sup> They wore rings in their noses and practiced tattooing.<sup>40</sup> Paint was also a common article of adornment.<sup>41</sup> Marriage was a commercial transaction, the woman being bought of her parents, the groom having the right to marry his wife's sisters.<sup>42</sup> The women did the work about the home, and made rude pottery, and many kinds of baskets,<sup>43</sup> while the men made tools and weapons, sought food in the chase, or traded with distant natives.<sup>44</sup>

These Indians, according to old accounts, were great traders, and soon after the arrival of the Spanish they adopted the horse as a means of transportation, after which trade was extended much farther among their neighbors.<sup>45</sup> They raised horses, sometimes taking them from the Spanish, and carried on trade with Indians farther north.<sup>46</sup>

The Caddos have a myth to explain their origin; this claims that they came out of the earth near the present Caddo Lake. They, in common with other Indians, have many myths—some strongly resembling the Flood legend and other legends of Christians.<sup>47</sup>

<sup>35</sup> Harrington, *op. cit.*, 245.

<sup>36</sup> Farrand, *op. cit.*, 142.

<sup>37</sup> Hodge, *op. cit.*, Part I, 181.

<sup>38</sup> Brinton, *op. cit.*, 95.

<sup>39</sup> James Mooney. *The Ghost Dance Religion and the Sioux Outbreak of 1890*, in Smithsonian Institution, Bureau of American Ethnology, *Fourteenth Annual Report* (Washington, 1896), Part II, 1093.

<sup>40</sup> Hodge, *op. cit.*, Part I, 181.

<sup>41</sup> Harrington, *op. cit.*, 244.

<sup>42</sup> Brinton, *op. cit.*, 96.

<sup>43</sup> Kniffen, *loc. cit.*, 6-7.

<sup>44</sup> Farrand, *op. cit.*, 221-222.

<sup>45</sup> Isaac Joslin Cox, *The Early Exploration of Louisiana*, in University of Cincinnati Studies (University of Cincinnati, 1906), II, 75-76.

<sup>46</sup> Lauren C. Post, "The Domestic Animals and Plants of French Louisiana . . .", in *Louisiana Historical Quarterly*, XVI (Oct., 1933), 560; Whittington, *loc. cit.*, XV, 572.

<sup>47</sup> Maude Hearn O'Pry, *Chronicles of Shreveport* (Shreveport, 1928), 57-58.

All Indians believe in a life beyond in a spirit world; they also believe that spirits animate everything and take part in earthly affairs. There is, however, no conception of one God only.<sup>48</sup> They included the heavenly bodies as objects of their worship, especially the sun and moon. One of the chief divinities of the Caddos was the morning star. At the time of the ceremonial of corn planting, a young girl, usually a captive from an enemy tribe, was sacrificed to this divinity. She was burned, but before she was quite dead her heart was torn out and thrown into the flames, this act being attended by much ceremony. Her flesh was then cut up, burned, and buried in the corn field. This rite was supposed to secure an abundant crop of corn.<sup>49</sup>

Their priests conducted the various religious ceremonies, also rituals and songs for games, and for health, peace, and prosperity, and taught that all living things were capable of assisting man; thus they held sacrifices and prayers to many of these things.

Fire was made by rubbing sticks together and was usually kept burning continually in the cabins.

Estimates of Indian character are never very successful, being based on the standards of white people,<sup>50</sup> but the Caddos were considered an inoffensive people compared to many other Indians.<sup>51</sup> Indeed, the Natchitoches branch claimed they had never shed white man's blood.<sup>52</sup> In 1835 the Caddos ceded their lands to the United States, went to Texas and from there to Oklahoma, where a remnant still survives (1910).<sup>53</sup>

As a part of the great Caddoan family, the Natchitoches (name means "Pawpaws")<sup>54</sup> shared in the characteristics, manners and customs of that tribe. They are probably the most important tribe in the pre-Columbian history of the Red River Valley in Grant Parish, but little has been recorded in their history. They were living on the Red River in 1690 when they were visited by Tonti, the famous old iron-handed companion of La Salle. Again they were visited by Bienville, in 1699, who found them loyal to the French.

<sup>48</sup> Farrand, *op. cit.*, 248-249.

<sup>49</sup> Brinton, *op. cit.*, 97.

<sup>50</sup> Swanton, *op. cit.*, 49.

<sup>51</sup> Annie H. Abel, "The History of Events Resulting in Indian Consolidation West of the Mississippi", in *Annual Report of the American Historical Association*, 1906 (Washington, 1908), 404.

<sup>52</sup> Letter from John Sibley, 1805, *Annals of Congress*, 9 Cong., 2 Sess. (1806-1807), 1083.

<sup>53</sup> Hodge, *op. cit.*, Part I, 180-181.

<sup>54</sup> Read, *loc. cit.*, 42.

Having failed in their crops, some of them came in 1705 to the French settlement on Lake Pontchartrain, where St. Denis gave them homes. Later, when he went up Red River to make a post against the encroachment of the Spanish, he took these Natchitoches people with him and had them help in making the settlement on Red River which now bears their name (1714). They were attacked at the Natchitoches Post by the Natchez in 1728, when the latter fled from the French at Fort Rosalie (Natchez) and came to the Natchitoches country on Red River,<sup>55</sup> but St. Denis with his militia and the help of the Natchitoches soon killed or scattered the Natchez.<sup>56</sup>

One of the earliest sources of knowledge of the Indians of Grant Parish is the letters of John Sibley of Natchitoches (1805) written to General Dearborn, Secretary of War, at Washington.

In these letters he says his chief information is from his Indian agent, Francis Grappé. Quoting from one of his letters (1805) :

Six miles above Mr. Gillard's [on Red River near Alexandria] you arrive at the small village of Bolusca [Biloxi] Indians where the river is divided into two channels, forming an island about 50 miles in length, . . . the right hand division, the Rigula de Bondieu, on which are no settlements [white]; . . .

Speaking of the country around Natchitoches he says:

'Tis almost incredible the quantity of fish and fowl these lakes supply. It is not uncommon, in winter, for a single man to kill from two to four hundred fowl in one evening, they fly between sundown and dark; the air is filled with them; they [white people] load and fire as fast as they can, without taking any particular aim, continuing at the same stand, till they think they have killed enough, . . . In summer quantities of fish are nearly in proportion; one Indian will, with a bow and arrow, sometimes kill them faster than another with two horses can bring them home. . . . The lakes, likewise, afford plenty of shells for lime, . . . Similar lakes are found, all along Red River, for five or six hundred miles; . . .<sup>57</sup>

With such plentiful food supply it cannot be doubted that Indians lived about those regions.

<sup>55</sup> Hodge, *op. cit.*, Part II, 37.

<sup>56</sup> Fisher, *op. cit.*, 196.

<sup>57</sup> O'Pry, *op. cit.*, 33-34.

The Natchitoches spoke a language like the Yatasi, their neighbors,<sup>58</sup> but spoke Caddo also.<sup>59</sup> The French had great respect for them, and a number of French families have a mixture of their blood.<sup>60</sup> They had grass houses,<sup>61</sup> used mats, had the calumet and banquets or feasts,<sup>62</sup> raised corn and those vegetables common to their neighborhood.<sup>63</sup> They were still preserving in 1805 their Indian dress and habits.<sup>64</sup> Evidently they were traders, for they bought salt from the Kororas Indians,<sup>65</sup> and one of the chief reasons for the settlement of Natchitoches by the French was trade with these Indians. Some of the things traded were bear oil, skins, and furs. The whites in turn traded to the red man powder, balls, cloth, blankets, hatchets, axes, scissors, glass, beads, handkerchiefs, wire, fusils. There was a trade route just south of Natchitoches leading from Natchez to Mexico<sup>66</sup> (Texas), used until recent years. In their religion were certain phases demanding human sacrifice.<sup>67</sup>

In 1805 they were said to be wasting away, many being destroyed by smallpox, which has always proved a very fatal disease among the Indians.<sup>68</sup> Evidently they were a more sedentary branch of the Caddos and more like their southern neighbors, the Avoyels.

The Yatasi (Yatassee), a small tribe of the Caddo stock, lived on Bayou Pierre above Natchitoches.<sup>69</sup> Tonty, in going from the Taënsas to the Natchitoches, visited with them on Red River,<sup>70</sup> and Bienville and St. Denis made friendly alliances with them, after which they remained loyal to the French. St. Denis at Natchitoches took them under his protection while the Chicasaws waged war along Red River.<sup>71</sup> They had a language different from any other people, but spoke Caddo also. They raised corn, beans, pumpkins, tobacco, and, after the founding of the trading post at Natchitoches and the coming of the whites, they raised also horses, cattle, hogs, and poultry.<sup>72</sup>

<sup>58</sup> Hodge, *op. cit.*, Part II, 37.

<sup>59</sup> "Memoir, by the Sieur De La Tonty", in B. F. French, *Historical Collections of Louisiana*, 5 vols. (New York, 1846), I, 73.

<sup>60</sup> Sibley, *loc. cit.*, 1083; Hodge, *op. cit.*, Part II, 37.

<sup>61</sup> Hodge, *op. cit.*, Part I, 181.

<sup>62</sup> Shea, *op. cit.*, 218.

<sup>63</sup> Glover, *loc. cit.*, 877.

<sup>64</sup> *Ibid.*

<sup>65</sup> Grace King, *Jean Baptiste le Moyne Sieur de Bienville* (New York, 1892), 102.

<sup>66</sup> Plummer, *op. cit.*, 39-44; John E. Guardia, *Historic Natchitoches, Louisiana; Its Two-Century Raison D'etre*, Reprint from *Journal of Geography*, XXXIII, (Jan., 1934), 7-8.

<sup>67</sup> Brinton, *op. cit.*, 97.

<sup>68</sup> Fisher, *op. cit.*, 197.

<sup>69</sup> Sibley, *loc. cit.*, 1077.

<sup>70</sup> French, *loc. cit.*, 72.

<sup>71</sup> Hodge, *op. cit.*, Part II, 993.

<sup>72</sup> Glover, *loc. cit.*, 878.

Tradition says<sup>73</sup> a small band of them lived about five miles north of Colfax, at a spot [recently the home of the late Sam Johnson] where now are to be found a number of middens. In 1826 their number was reduced to twenty-six, and they have now become absorbed into the Caddos of Oklahoma.<sup>74</sup>

The meaning of the word "Taënsas" is unknown,<sup>75</sup> but our first authentic knowledge of the tribe is from the accounts of Robert Chevalier de La Salle's voyage down the Mississippi River in 1662, as left by Henry Tonty, Father Membrè and Jacques de la Metairie.

Much has been written about the Natchez Indians because the French early came in contact with them, because they had a higher civilization than most other Indians, because they were wealthy and therefore an object of greed on the part of the French, and because of the unusually well-established and spectacular religious rites which they practiced.

All early French writers agree that the religion, manners, customs, and character of the Taënsas were very similar to the Natchez,<sup>76</sup> for the Taënsas were practically one people with the Natchez,<sup>77</sup> and that their culture was considerably in advance of other Indians north of Mexico.<sup>78</sup>

Swanton says the "arts, sciences, and daily life" of the Taënsas were much like the Tunica, so that the following description of the latter by Gravier gives also a fair idea of the Taënsas:

Their cabins are round and vaulted. They are lathed with canes and plastered with mud from bottom to top within and without with a good covering of straw. There is no light except by the door; it is as hot as a vapor bath. At night a light torch of dried canes serves as a candle, and keeps all the cabin warm. Their bed is of dried canes raised on four posts, three feet high, and a cane mat serves as a mattress. Nothing is neater than their cabins. You see there neither clothes nor sacks nor kettles nor hatchets nor guns; they carry all with them, and have no riches but earthenware pots, quite well made, especially little glazed pitchers as neat as you would see in France. Their granaries are near their cabins, made like dovecotes, built on four large posts 15 or 16 feet high, well put together and well polished,

<sup>73</sup> Tradition told by the late Sam Johnson, aged settler of Grant Parish.

<sup>74</sup> Hodge, *op. cit.*, Part II, 998.

<sup>75</sup> Swanton, *op. cit.*, 257.

<sup>76</sup> Calhoun, *loc. cit.*, 663.

<sup>77</sup> Swanton, *op. cit.*, 9, 26.

<sup>78</sup> Calhoun, *loc. cit.*, 663.

so that the mice cannot climb up, and in this way they protect their corn and squashes. . . . The women have a dress of mulberry leaves which they spin like hemp and flax.<sup>79</sup>

They had a peculiar practice, not uncommon among Indians, of flattening the heads of their infants.<sup>80</sup> Tonty says that they had houses of mud walls covered with cane mats and decorated with paintings and brass buckles, and also that they sat on cane mats.<sup>81</sup> Their chiefs, with their wives and children, were treated with great respect.

Stone hatchets and knives<sup>82</sup> were among their chief weapons, and as ornaments they had pearls from the surrounding lakes.<sup>83</sup> These were doubtless fresh-water pearls, since some are still found in those waters (Catahoula Lake, Caddo Lake, etc.). They raised pumpkins, corn, beans, and tobacco.<sup>84</sup> Also, they ate bison, deer, alligators, dried fruits, and baked dough molded in the form of animals and birds.<sup>85</sup>

The religion of the Taënsas, like that of the Natchez, included the worship of the sun and the keeping of a perpetual fire burning in their temples; also they put the heads of their enemies on the temple walls as trophies of war. Women trained their children to salute the sun every morning, and the serpent was regarded as one of their gods. At the last quarter of the moon, all the cabins made an offering of a dish of their best food.<sup>86</sup>

When a chief died his youngest wife was sacrificed and also a hundred slaves to accompany him to the other world.<sup>87</sup> His followers were glad to offer themselves to be sacrificed and die with him; the greater the chief, the more men were sacrificed.<sup>88</sup> Iberville visited the Taënsas in 1700, where he witnessed a sacrifice of five children, slaughtered and thrown into the flames by their parents to appease their gods during a storm.<sup>89</sup>

Some of the Taënsas came from their country to Red River about the middle of the eighteenth century and lived near the Pascagoulas between Bayou Darrow and Rigolets. Governor Carondelet wished to remove them to Catahoula Lake, but they

<sup>79</sup> Swanton, *op. cit.*, 315-316.

<sup>80</sup> *Ibid.*, 262.

<sup>81</sup> *Ibid.*, 260.

<sup>82</sup> Calhoun, *loc. cit.*, 422.

<sup>83</sup> Swanton, *op. cit.*, 257-260.

<sup>84</sup> Glover, *loc. cit.*, 878.

<sup>85</sup> Swanton, *op. cit.*, 261.

<sup>86</sup> *Ibid.*, 260-266.

<sup>87</sup> French, *loc. cit.*, 61-62.

<sup>88</sup> Swanton, *op. cit.*, 265.

<sup>89</sup> Calhoun, *loc. cit.*, 656.

refused to go and took refuge in the pine hills and on Bayou Boeuf.<sup>90</sup> They remained about forty years on Red River near the Apalachee in the southern part of Grant Parish, speaking Mobilian—as did all Indians east of the Mississippi River, in trade language—and lived much like their neighbors.<sup>91</sup> Swanton says they are, so far as known now (1911) extinct, having gone south among the Attakapas.<sup>92</sup>

The Avoyel name means "People of the Rocks". This was a small tribe living on Red River above the rapids, which would place them in the extreme southern part of Grant Parish. They are classed by Swanton as belonging to the Natchez family,<sup>93</sup> and also by Hodge as belonging to some group of the Muskhogean.<sup>94</sup> Iberville met them in 1699 and called them "Little Taënsas".<sup>95</sup> They are mentioned early in history by Du Pratz, who says they were a little nation living above the Rapids,<sup>96</sup> and tradition also claims that their original home was north of the Rapids. They have a legend to the effect that they came from the ground at a place now occupied by a lake (probably near present Marksville, since mounds near that place are believed to have been built by them).<sup>97</sup> They became agents from whom the French bought horses of the Spanish in Texas.<sup>98</sup> They also bought beef cattle in large numbers from the Spanish; thus one of their leading occupations after 1682 was trading. No one knows when they left the parish.<sup>99</sup>

They were a hunting people (agricultural, also, as is proved by their pottery) and killed bear, deer, rabbits, and squirrels. They were much like the Taënsas in culture and daily life. Their married women wore a garment from the waist to the knees ending in a fringe, but the girls were naked till about twelve years old. "The men dressed in their skins." The tribe is now extinct.<sup>100</sup>

<sup>90</sup> Whittington, *loc. cit.*, XV, 575-577.

<sup>91</sup> Swanton, *op. cit.*, 272.

<sup>92</sup> *Ibid.*

<sup>93</sup> *Ibid.*

<sup>94</sup> Hodge, *op. cit.*, Part I, 118.

<sup>95</sup> Swanton, *op. cit.*, 272.

<sup>96</sup> *Ibid.*, 273.

<sup>97</sup> *Ibid.*, 274.

<sup>98</sup> Post, *loc. cit.*, 560.

<sup>99</sup> Whittington, *loc. cit.*, XV, 573.

<sup>100</sup> Swanton, *op. cit.*, 274.

**B. Lesser Tribes**

The Adai (name means "Brushwood") were a small tribe who lived near Natchitoches.<sup>101</sup> They spoke a different language from the Natchitoches but were a member of the Caddoan confederacy.<sup>102</sup> Iberville on his journey in 1699 observed them, and they were mentioned by Cabeza de Vaca, the Spanish explorer, in 1529. They resembled other Caddoan tribes, and their villages were scattered over wide territory, showing them to be a semi-sedentary people.<sup>103</sup>

The Iatts, a name taken from the Comanche tribe, Hiatans (name derived from Ute or Utah), were of Comanche stock and were a tribe which moved about from the Red River to Colorado. "They were fine horsemen, and lived by hunting the buffalo, which they killed with spears. Their tents were made of buffalo skins, shaped like cones, and large enough to accommodate fifty or sixty persons."<sup>104</sup>

**C. Later Tribes**

The tribes hereafter named—except the Ouachita—came into the Red River country after the claiming of Louisiana by the French, so that they were in no sense "original tribes" of that section, yet their life there affected the oncoming lives of the whites so that they too played their parts in the growth of the country.

The Coushattas (the name means "White Reed-Brake") were a band of Muskhogeans inhabiting the regions of the Alabami (Alabama state). They therefore had the characteristics of the eastern maize area and were a sedentary people, practicing agriculture, as well as hunting and fishing. They liked the French people so well that they migrated to the present state of Louisiana,<sup>105</sup> some of them settling above the Rapids (1795). They have disappeared as a tribe from the Red River region, but a few of them still live in Allen Parish near Kinder.<sup>106</sup>

The Creeks (so named by the English because their country contained many creeks)<sup>107</sup> were a very important tribe of the

<sup>101</sup> Read, *loc. cit.*, 3-4.

<sup>102</sup> Brinton, *op. cit.*, 91.

<sup>103</sup> Swanton, *op. cit.*, 12-13.

<sup>104</sup> Read, *loc. cit.*, 33.

<sup>105</sup> *Ibid.*, 28.

<sup>106</sup> *Ibid.*

<sup>107</sup> Hodge, *op. cit.*, Part I, 362.

Muskhogean group who claimed lands from Georgia to Mississippi and were widely scattered. They were a semiagricultural people of many tribes and many allies and made frequent treaties with the whites.

Creek women were short in stature but well formed; the men tall, proud, haughty, arrogant, brave, and valiant in war. As a people they were more than usually devoted to ornament and fond of games, especially of ball and of music. They had clans, each clan electing a chief and a council. Marriage within the clan was not permitted. They buried their dead in the earth under the deceased person's bed.

Their great ceremony was the Busk or green-corn dance, which was held at the time of growing corn and lasted four days;<sup>108</sup> during this festival, they cleaned their villages and their clothes and renewed their vessels. At this festival, they drank the famous "Black Drink", a decoction of the iris. Their culture was one of the highest north of Mexico, being much like the Mound Builders, whose descendants they probably are.<sup>109</sup> They were very warlike and frequently fought with other tribes, roaming over a large part of the state of Louisiana. They were defeated by General Jackson in 1814, after which they went to the Indian Territory, where they are now a civilized nation.<sup>110</sup>

The Alabami (name means "those who clear land for agriculture")<sup>111</sup> lived near the Alabama River. They were warlike but hospitable. They had a custom of throwing away all food that was left if a white person ate with them and washing all vessels touched by the white person.<sup>112</sup> When the French abandoned the Alabami country, many of the Alabami moved to Louisiana, some of them coming to Red River about sixty miles above the Rapids. (This would place them within the limits of Grant Parish.) Sibley writes of them in 1805 as moving up the Red River above Natchitoches. They were good farmers<sup>113</sup> and were a harmless, quiet people, speaking the Creek, Choctaw, and Mobilian languages, also later French and English, and raising corn, horses, hogs, and cattle.<sup>114</sup> They probably became merged with the Creeks.<sup>115</sup>

<sup>108</sup> *Ibid.*, 176.

<sup>109</sup> Brinton, *op. cit.*, 87-88.

<sup>110</sup> Fortier, *op. cit.*, 538-539.

<sup>111</sup> Read, *loc. cit.*, 4.

<sup>112</sup> Hodge, *op. cit.*, Part I, 44.

<sup>113</sup> Sibley, *loc. cit.*, 1085.

<sup>114</sup> Fisher, *op. cit.*, 198.

<sup>115</sup> Hodge, *op. cit.*, Part I, 44.

The Biloxi (name of uncertain meaning)<sup>116</sup> were a small Siouan tribe living near Biloxi Bay, Mississippi.<sup>117</sup> They were less dependent on agriculture than their neighbors but used more sea food.<sup>118</sup> They (the men) wore breechcloths, belts, leggings, moccasins, and garters, and wrapped around the body a skin robe. Nose rings, "feather head-dresses, necklaces of bone, bills of a long-legged blackbird", were worn also. Their houses were low tents. They made pottery, wooden bowls, bone and horn implements, and baskets. They had clans and descent through the female line.<sup>119</sup>

About the middle of the eighteenth century they moved from their home and settled first near the Avoyels, then moved up Red River above the rapids, and from thence to Rigolet de Bon Dieu about forty miles below Natchitoches (in Grant Parish).<sup>120</sup> Their native language was peculiar to themselves, but they spoke Mobilian also, as did all other Indians of the east side of the Mississippi. They were "an honest, harmless, and friendly people."<sup>121</sup> Some remnants of the tribe were found by Dorsey as late as 1892 at Lecompte, Louisiana.<sup>122</sup> A small band of them was still living in the forests south of Red River in 1914.<sup>123</sup>

The Appalaches ("People of the Other Side")<sup>124</sup> were likewise emigrants from the river which bears their name. They came to Red River about the same time as the Biloxi and lived above the Rapids. No nation was more highly esteemed by the French. They had their own language as well as Mobilian.<sup>125</sup> They later sold their lands to Fulton and Miller of Alexandria, Louisiana, for \$3,000 and have disappeared as a people.<sup>126</sup>

The Chicasaws (origin of name not known)<sup>127</sup> were a Muskogean tribe, close kin to the Creeks and Choctaws and had similar customs and traditions, except that they were more warlike and conquering, in fact, were notorious for fighting. They were of a roving disposition, claiming land from Tennessee to Mississippi,<sup>128</sup> and raiding the country on both sides of the Mississippi River.

<sup>116</sup> *Ibid.*, 147.

<sup>117</sup> *Ibid.*, 148.

<sup>118</sup> Larned, *op. cit.*, 4354.

<sup>119</sup> Hodge, *op. cit.*, Part I, 148.

<sup>120</sup> Sibley, *loc. cit.*, 1085.

<sup>121</sup> Fisher, *op. cit.*, 197.

<sup>122</sup> Hodge, *op. cit.*, Part I, 147.

<sup>123</sup> Fortier, *op. cit.*, 532-533.

<sup>124</sup> Hodge, *op. cit.*, Part I, 67.

<sup>125</sup> Fisher, *op. cit.*, 198.

<sup>126</sup> *Biographical and Historical Memoirs of Northwest Louisiana*, 498.

<sup>127</sup> Read, *loc. cit.*, 22.

<sup>128</sup> Hodge, *op. cit.*, Part I, 261.

They sheltered the fleeing Natchez in 1728, and in 1830-1840 ceded their land to the government, going to live in Indian Territory, where many are still found.<sup>129</sup>

The Pascagoulas (the name means "Bread People") moved from their home near the Gulf in the present state of Mississippi in 1784 to West Florida in the present state of Louisiana, then with their neighbors, the Biloxi, went in 1791 to the Rigolets in the Red River country.<sup>130</sup> They settled about sixty miles below Natchitoches,<sup>131</sup> and therefore lived in the southern part of Grant Parish. They had their own language as well as speaking Mobilian and French. Sibley says of them in 1805 that they "raised good crops of corn and vegetables, have cattle, horses, and poultry, plenty."<sup>132</sup> They had temples and perpetual fire.<sup>133</sup> They sold their lands to Miller and Fulton and went south to join the Choctaw and the Biloxi.<sup>134</sup>

The Bayougoulas ("Bayou People")<sup>135</sup> lived in West Florida near Manchac, southeast of the present Baton Rouge. They were usually friends to the French settlers and enemies to the English. They massacred their associates, the Mongoulachas,<sup>136</sup> and moved to Red River.<sup>137</sup> None are now left.<sup>138</sup>

The Choctaws were a large and powerful tribe of the Muskogean family, including Choctaw, Chicasaw, Houma, and their allies. They lived in central and northern Mississippi and were constantly at war with their neighbors.<sup>139</sup> A large number of them migrated to West Florida, some living about other parts of Louisiana; in fact, being a rambling people, scattered parties of them might be met with all over lower Louisiana territory.<sup>140</sup> The date when Choctaws came to Red River is not known, but when St. Denis was attacked at Natchitoches by the Natchez, 1728, they, with other Indian allies, helped him, and before 1764 a small tribe was living on Bayou Boeuf.<sup>141</sup> John Sibley says of them in 1805, "They are at war with the Caddoques [Caddos], and liked by neither red nor white people",<sup>142</sup> though most writers (includ-

<sup>129</sup> Fortier, *op. cit.*, 536.

<sup>130</sup> Hodge, *op. cit.*, Part II, 205.

<sup>131</sup> Sibley, *loc. cit.*, 1086.

<sup>132</sup> *Ibid.*, 1087.

<sup>133</sup> Swanton, *op. cit.*, 166.

<sup>134</sup> Hodge, *op. cit.*, Part II, 205.

<sup>135</sup> Read, *loc. cit.*, 9.

<sup>136</sup> King, *op. cit.*, 108.

<sup>137</sup> Whittington, *loc. cit.*, XV, 576.

<sup>138</sup> Fortier, *op. cit.*, 539.

<sup>139</sup> Hodge, *op. cit.*, Part I, 288-289.

<sup>140</sup> Sibley, *loc. cit.*, 1087.

<sup>141</sup> Whittington, *loc. cit.*, XV, 575.

<sup>142</sup> Sibley, *loc. cit.*, 1087.

ing Swanton) say they fought chiefly for defense and were generally friendly to the whites. They had a peculiar custom of flattening the heads of their infants by pressure on the front of the skull. Another custom was that of disinterring their dead a short time after burial, scraping the bones, and putting them in a house made for that purpose. They were a highly agricultural people, depending little on hunting,<sup>143</sup> raising corn, beans, squash, and tobacco.<sup>144</sup> They had houses often on artificial mounds and palisaded towns, and their weapons and stone utensils show great beauty of workmanship.<sup>145</sup> Their government was a loose confederacy.<sup>146</sup>

The clan system prevailed among them, each clan punishing its own offenders. Murder was usually punished by execution, the nearest male member of the slain being the executioner. Each clan elected or deposed its own chief,<sup>147</sup> but the chiefs were usually of the same hereditary family. Sometimes a woman was chief.<sup>148</sup> The clans were based on kin, descent through the female line, and nonintermarriage, no one being allowed to marry within his own clan. Each clan had its own burial place and its own totem.

Of the many myths and legends of this imaginative people, the following is an interesting example: A long time ago a crow got a grain of corn from across the water, brought it to this country, and gave it to a child to plant. The child called it *tauchi* (corn). When it grew, the older people swept around it, but the child hoed it and hilled it up. It grew and matured two ears of corn. In this way the ancestors of the Choctaw discovered corn.

The Choctaws ceded their land in 1832 and went to Indian Territory (Oklahoma), where many now live as respected citizens.<sup>149</sup> There are still a few living in Mississippi and Louisiana, among them a small remnant of about fifty in number, between Jena, Louisiana, and Little River, and thus on the border of Grant Parish. These people, now without a chief, still speak their native language and recently have been provided with school facilities.<sup>150</sup>

<sup>143</sup> Hodge, *op. cit.*, Part I, 288.

<sup>144</sup> Kniffen, *loc. cit.*, 5.

<sup>145</sup> Brinton, *op. cit.*, 87.

<sup>146</sup> Ellsworth Huntington, *The Red Man's Continent*, in Allen Johnson (ed.), *Chronicles of America Series*, 50 vols. (Yale University Press, 1920), 161.

<sup>147</sup> Fortier, *op. cit.*, 535-536.

<sup>148</sup> Brinton, *op. cit.*, 86-87.

<sup>149</sup> Fortier, *op. cit.*, 535-536.

<sup>150</sup> (New Orleans) *Times-Picayune*, April 3, 1938.

The Ouachita (Washita) were a small tribe of Caddoan stock, closely related to the Natchitoches, and seemed to have come from the neighborhood of the latter. The name may mean "Big Hunting Ground".<sup>151</sup> They lived on the Ouachita River,<sup>152</sup> where much game abounded,<sup>153</sup> and traded salt with the Caddo. Bienville, in 1700, found some of them carrying salt to the Taënsas, with whom they were intending to live. The Ouachita afterwards settled among the Natchitoches.<sup>154</sup> Swanton says they returned to the Caddos,<sup>155</sup> and, according to Mr. Calhoun (in his history of the Taënsas), they were destroyed by the Taënsas.<sup>156</sup> All agree their identity has been lost. There are at present no settlements of Indians in Grant Parish, and, so far as the writer has been able to discover, no full-blooded ones, though there are a number of whites in whose veins Indian blood still flows strong.

## II. EVIDENCES OF INDIAN OCCUPANCY

Indian mounds are by no means confined to Louisiana, but many interesting ones are to be found within her borders, and in this respect, too, Grant Parish has her share. Many Indian villages have become the sites of plantations, because the land was already cleared for the white man by the former Indian residents. Such sites exist in large numbers in Grant.

Near Natchitoches many tools and implements of the Caddos have been found, such as spears, flints, tomahawks, etc.<sup>157</sup> C. B. Moore, sent by the Smithsonian Institution, found in mounds at Larto Lake near Catahoula Lake many vases, much pottery, and various other artifacts showing evidence of Indian life there.<sup>158</sup> A mound excavated near Campti, a few miles from Grant, showed remains similar to those found at Larto Lake.<sup>159</sup> M. H. Harrington, sent by the Heye Foundation, New York (1916), to explore in southwest Arkansas, found bowls, pendants, beads, charms, river-pearls, chipped implements, etc.<sup>160</sup>

<sup>151</sup> Read, *loc. cit.*, 47.

<sup>152</sup> Calhoun, *loc. cit.*, 674.

<sup>153</sup> King, *op. cit.*, 104.

<sup>154</sup> Hodge, *op. cit.*, Part II, 172.

<sup>155</sup> Swanton, *op. cit.*, 7 (note).

<sup>156</sup> Calhoun, *loc. cit.*, 674.

<sup>157</sup> O'Pry, *op. cit.*, 52.

<sup>158</sup> Clarence B. Moore, "Some Aboriginal Sites in Louisiana and in Arkansas," *Journal of the Academy of Natural Science of Philadelphia* (Philadelphia, 1913-1918), XVI, 21-52.

<sup>159</sup> George E. Beyer, "The Mounds of Louisiana," in *Publications of the Louisiana Historical Society*, I (1896), 17.

<sup>160</sup> Harrington, *op. cit.*, 17.

The anthropologist, G. E. Beyer, concludes that mounds far outdate the Columbian period in America and that the people who made them were crowded out by the ancestors of the Columbian Indians.<sup>161</sup> However that may be, these artifacts show occupancy by Indian life in the region where they are found.

While historical records are few and sketchy concerning the Indians of Grant Parish, the artifact records are numerous. Judging by the great number of arrow points that have been picked up, Grant Parish must have been a vast hunting ground inhabited by a numerous aboriginal population. From the very scanty history we have, the parish, especially on and near Red River, must have been a scene of constant changing of tribes, each successive one giving place to some invading or visiting one, a succession which had gone on for many years before white people entered this land. This would perhaps account for the many kinds of rock of which the arrow points, axes, skinning knives, etc., are composed.

Doubtless, too, warfare and deeds of violence stained many of the fair hills and rich valleys of the land. Quite extensive trade and importation of their necessary articles of living are more than guessed by the fact that some of the relics, arrow points especially, are of material found in neighboring parts of the United States—sometimes distant parts—but not in Grant Parish. Following are named—with locations found—some of the relics of that civilization now almost past away from the United States: In a street of Colfax near Jones' Filling Station was found a few years ago, by a party of men digging a ditch, a skeleton, some broken pottery, and a vase.<sup>162</sup> A mile east on the highway were dug up, in fixing a road, about fifteen years ago, a large quantity of arrow points, a fine specimen of skinning knife, and many bones and shells. This find lay a few hundred yards from a high mound on Bayou Darrow.

The chief sites of mounds are: One on highway about three miles north of Colfax; one on highway about two miles east of Colfax; one on highway about twelve miles east of Colfax; several small mounds east of Pollock; one near Selma; one near Fairchild; several on Indian Creek west of Selma; several small ones east of Georgetown; one on D'Artego Bayou west of Iatt Lake; a large number scattered along Big Creek for several miles

<sup>161</sup> Beyer, *loc. cit.*, 27.

<sup>162</sup> George H. McKnight, report to writer, April, 1936.

above its mouth; one a short distance west of Little River on the road to White Sulphur Springs; many scattered along Little River for its entire length bordering Grant Parish. Tradition says these were built by Natchez Indians when they fled from the capture of Natchez, but research in other neighboring parishes would seem to place them at a much earlier period.

Middens are found in so many places, the enumeration would become tedious, as is likewise the case with arrow points and other relics. Since the parish has much land that has never been cultivated, the great number of artifacts must be but a very small part of that waiting yet to be found. Most of these things are crude forms, much inferior in workmanship to those found about Larto Lake and on the Ouachita River, so they would seem to indicate a numerous but low-grade population. Those places having yielded most arrow points are Black Creek country, west side of Iatt Lake, Big Creek, Fish Creek, Clear Creek, almost their entire length, and the country about Williana. The last-mentioned country has the highest elevation of the parish, far above any high water known to white people. Likewise, both sides of Little River abound in evidences of Indian residence—mounds, middens, and stone artifacts. The writer has in her possession many specimens of these artifacts, some of them being:

1. Arrow points from Pollock, Dry Prong, west side of Iatt Lake, D'Artego Bayou, Clear Creek Bay (mouth), Cohen's Bluff, Saw Dust Pile, Indian Creek, Black Creek, Sims, Williana and Montgomery.
2. Skinning knives from Black Creek, near Colfax, near Dry Prong, near Nantachie.
3. A banner stone from D'Artego.
4. Gaming stones from Nantachie.
5. A large spear from Georgetown, one from Fairchild, one from near Dry Prong.
6. Stone drills and knives from Black Creek.
7. Bird points, very small, from Black Creek and from Indian Creek.
8. Pottery (broken) from Cohen's Bluff, Saw Dust Pile, D'Artego Bayou (mouth), Clear Creek Bay, Indian Creek, Georgetown.
9. Amulets from Black Creek and west side of Iatt Lake.

(Many arrow points from Black Creek have double or triple barbs, which are not common in the parish nor in the state. The arrowheads from all parts of the parish show many varieties, sizes, shapes, and colors, especially is this true of Black Creek points; these vary in color of rock from white through shades of yellow, brown, and red to jet black, and some are petrified wood, some of flint, some of obsidian, some of soapstone, although the last two materials are not formed in the parish.)

10. Also a variety of stone mortars, found in different parts of the parish, one from Flagon Bayou, near Oak Grove Church on the Colfax-Bentley road, being especially fine.

Besides this collection listed, many of the finest specimens of stone artifacts in the Williams collection at Louisiana State Normal College and a large part of the fine collection of Mr. Groves of Pollock have been gathered from Grant Parish.

There is at Cohen's Bluff on Little River and at Saw Dust Pile on Big Creek, near Little River, a quantity of sherds (pieces of pottery); also at all the middens of the parish some sherds are to be found. Some of these were examined by Mr. J. A. Ford of the Department of Geology, Louisiana State University, and declared to be of the Cole's Creek type. This is a type much of which has been found about Cole's Creek in Mississippi near Natchez and also in mounds near Sicily Island, Louisiana.<sup>163</sup>

We cannot but believe a busy people once filled our lonely woods and long miles of cutover lands, that they roamed the game-filled swamps and drew the trout and sac-o-lait from our clear streams. They have left us no traces of their civilization except in these castaway or buried artifacts, in middens or in mounds, yet standing beside the same waters where life turned the wheel of fortune for them, we can almost hear in the soughing of the longleaf pines their weird chants of ages gone, saying:

The eagle feather headdress from above,  
The eagle feather headdress from above,  
From the eagle above, from the eagle above;  
It is that feather we wear,  
It is that feather we wear.<sup>164</sup>

O great expanse of the blue sky; see me roaming here.  
I trust in you, protect me!  
Again on the warpath, lonely.<sup>165</sup>

<sup>163</sup> James A. Ford, *Ceramic Decoration Sequence at an Old Indian Village Site near Sicily Island, Louisiana* (Department of Conservation, Louisiana Geological Survey, New Orleans, La., 1935).

<sup>164</sup> Mooney, *op. cit.*, 1099.

<sup>165</sup> Wissler, *op. cit.*, 151.

Today the Works Progress Administration Statewide Archaeological Survey Project, sponsored by Louisiana State University and directed by Mr. J. A. Ford, is undertaking the excavating of mound sites in Avoyelles Parish and near the head of Catahoula Lake in La Salle Parish.<sup>166</sup> These excavations whose sites lie as near neighbors to Grant Parish will doubtless in the near future throw much light on the pre-Columbian life of that parish; and when Dr. A. C. Albrecht, now engaged in parallel historical research in Indian life of the Lower Mississippi Valley, will have completed his work, we shall be able to know more of this part of our state, so long an area of conjecture concerning primitive cultures.

There is much for the young enthusiastic anthropologist yet to do in these untried fields, and while we hear no more the sounds of untrammelled Indian life, yet the mounds, the middens, and the forgotten graves are patiently awaiting the explorer and saying with the breath of the morning breeze: "Come over, O Zeal and Knowledge, and we will to you a tale unfold."

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<sup>166</sup> James A. Ford, "Archaeological Exploration in Louisiana," in *Louisiana Conservation Review*, VII (1938-1939), 15.

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**SOME LETTERS OF GEORGE STANTON DENISON,  
1854-1866:**

**OBSERVATIONS OF A YANKEE ON CONDITIONS  
IN LOUISIANA AND TEXAS**

*Edited by James A. Padgett*

**INTRODUCTION**

George Stanton Denison, the son of Dr. Joseph Adam Denison, Jr., was born in Royalton, Vermont, August 5, 1833. Until he was seventeen years of age he remained at his home working and preparing for college at Royalton Academy. At eighteen he entered the sophomore class at the University of Vermont. At that time students arose at the sound of the bell at five in the morning for an hour's recitation, after which they had breakfast. At five in the afternoon they had another hour's recitation; and both morning and evening they attended prayer in the chapel. The students lived in the vicinity of the university where board and room could be had at \$2.50 per week, with laundry and lights costing thirty cents per week extra. The work was not difficult, for short lessons were assigned; however, thoroughness was insisted upon by the professors.<sup>1</sup>

His father died in 1848, leaving a rather large family and property barely sufficient to support and educate the younger children, so George borrowed the money for his college education. In 1854 he graduated from the University of Vermont, and in November of that year he set out for Texas, spending six weeks in making the trip by way of stage coach, Ohio and Mississippi steamers, and by ocean steamer from New Orleans to Texas. He had an uncle at San Antonio, Texas, where he organized and conducted a private school for almost three years to enable him to pay his living expenses, repay the money he had borrowed for his education, and send some money to his mother, brothers, and sisters.<sup>2</sup>

He closely observed things of interest along the route and in the Southwest and wrote often and fully to his family in Vermont and other places. He was much impressed with the

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<sup>1</sup> George Denison Papers, Library of Congress, Introduction.

<sup>2</sup> American Historical Association, *Annual Report*, 1902, II, 298-300; Denison Correspondence, Library of Congress, Introduction.

gaiety about New Orleans, especially how the people there, after a forced exile on account of the yellow fever, made up for lost enjoyment. At this time San Antonio had a population of some 11,000; was the United States military station for the Southwest; and was the headquarters for sending out Texas rangers against the Indians. Denison was enthusiastic over the historic sites and incidents connected with the city, especially the Alamo and the old missions; the fact that seventeen different languages were spoken in the city; and the sight of every variety of countenances and costumes on the streets.<sup>3</sup>

He took a lively interest in politics, and the rise of the Know Nothing party in the South. He was astonished that on election day ninety-nine out of every hundred voters had pistols buckled on, which they drew at times, but did no other damage than kill a Mexican or two; to find no banks in the city, and that specie was the only currency and even a bank note was a rarity.<sup>4</sup>

After nearly three years of teaching and traveling in other states of the South, he married Mrs. Cordelia M. Forsyth, from the North, who at the time was living near Pensacola, Florida. She owned a plantation and about seventy slaves besides other property. After he was married Denison determined to quit teaching and to study law under his uncle in Texas. In less than a year after their marriage and location in San Antonio his wife died, January 16, 1858, leaving him an infant son, born late in the previous December, whom he kept in the South until he was more than a year old before taking him to Vermont to live with Denison's family.<sup>5</sup>

Although his wife's estate, his infant son, and the study of law kept him busy, by July, 1859, he had made sufficient progress to apply for license to practice law as a citizen of Bexar County, Texas.<sup>6</sup> The following summer he visited his old home, which made him love his native state more than ever; and after his return to Texas he wrote: "In all my travels I have found no place where I would rather be born, live, and die than under the shadow of those grand old hills at home." In contrast with his home, he said: "Of all the filthy, damp, hot, and generally uncomfortable and unhappy cities, New Or-

<sup>3</sup> *Idem.*

<sup>4</sup> *Idem.*

<sup>5</sup> American Historical Association, *Annual Report*, 1902, II, 298-300.

<sup>6</sup> *Ibid.*

leans, in the summer time is certainly unspeakable. There was no yellow fever there, people said—tho' of course there were some cases, (there always are), but it was not epidemic."<sup>7</sup>

In July, 1860, he went to Mexico, traveling over much of the northern part as far as Mexico City on horseback. When he returned in December with 200 horses to begin a stock ranch, he found the conditions of the Union in such confusion that he sold his stock and devoted his time to arranging his own business and protecting his child's interest in the estate of his mother, so that he could honorably leave the South.<sup>8</sup>

From the first Denison had a very clear conception of the situation in the South and the outcome of the issue. His letter written to his brother from Florida, December 25, 1860, gives an excellent picture of conditions, mental traits, and attitudes in the South at that time, as well as an accurate prophecy of what would happen in the lower South.<sup>9</sup> He was in Pensacola when the Federal property was taken over by the Southerners, and he returned to Texas two months later. He was in considerable danger on account of writing articles for a Union newspaper, which was soon afterwards destroyed by a mob, the editor escaping to Mexico. Later Denison also wrote for publication in his home paper a series of articles on the South. They are excellent examples of his ability as a writer and of his keen powers of observation. More than once he was offered a commission in the Southern army, but he refused to enlist.<sup>10</sup>

On February 18, 1862, Denison, in company with Colonel James V. Bomford and two other officers of the United States army, prisoners of war, but recently exchanged, left Texas for the North. Up to that time he had heard of no important victories of the United States, and thinking he would be of service to his country he desired and expected to enlist in the Union army. Traveling through New Orleans, Corinth, Mississippi, and East Tennessee, he hoped to pass through the Confederate lines about Richmond, Virginia; but he was ordered to return to Texas. In East Tennessee he left the railroad and guided by Union men he traveled on foot through woods and over mountains, a circuitous route of 200 miles, to Richmond, Kentucky. He

<sup>7</sup> Denison Papers, Library of Congress, Introduction.

<sup>8</sup> American Historical Association, *Annual Report*, 1902, II, 298-300.

<sup>9</sup> Denison Papers, Library of Congress, George Denison to James Denison.

<sup>10</sup> Denison Papers, Library of Congress, *passim*; American Historical Association, *Annual Report*, 1902, II, 298-300.

reached home in April, where he remained a few days before going to Washington to enlist in the service of his government. He was familiar with the people of the Southwest, knew their opinions and habits, thoughts and actions; had seen slavery in all parts of the South; and was fully convinced that its influence on the best interests of the country was everywhere disastrous.<sup>11</sup>

When Denison appealed to his kinsman, Secretary Salmon P. Chase, for assistance in procuring a lieutenancy, he was made special agent of the Treasury Department and acting collector of customs for New Orleans. This was the first civil appointment made by the Federal Government for the seceded states, and probably the most responsible position within the gift of the government. He then went to New York for instructions. Accompanied by five or six experts from the custom-house there, he sailed for New Orleans on May 26, 1862, where he was to report to General Butler. When he reached his destination he was put in charge of the revenue and quartered in the corner of the building in which 1200 soldiers were stationed. Commodore Farragut had recently taken the city and the utmost confusion prevailed. So far as the facilities of business were concerned, "he might have taken an empty warehouse. Everything was wanting. Books were scattered, mutilated or destroyed. There were no experienced clerks familiar with the local business of the place or city, and everything was to be done *de novo*."<sup>12</sup>

After entering New Orleans on May 1, 1862, General Butler established there the headquarters of the Department of the Gulf. From time to time various military expeditions were sent from that city to points in that neighborhood, the most important of which were those to Baton Rouge, Port Hudson, the Red River section of Louisiana, and to Texas. General Butler from the very first also undertook the administration of civil affairs in New Orleans and the district immediately surrounding, appointing General George F. Shepley to be military governor of the city. On May 7, President Lincoln raised the blockade and opened New Orleans to trade. It was in consequence of this proclamation that those duties arose which Denison was appointed to perform. By the middle of August General Shepley had been appointed military governor of the state of Louisiana, and, after personal conferences with the administration in Wash-

<sup>11</sup> *Idem.*

<sup>12</sup> Denison Papers, Library of Congress, Introduction, 14-16.

ton, had begun the exercise of his functions. By this time those who wanted to know had already found out that President Lincoln was anxious to have the state "take her place in the Union as it was, barring the already broken eggs."<sup>13</sup>

Between the preliminary Emancipation Proclamation of September 22, 1862, and the state election held on December 3 by order of the military governor for the choice of two congressmen, there is something more than a mere chronological connection; and the final Emancipation Proclamation of January 1, 1863, exempted New Orleans and other parts of Louisiana from its operation. Some of the civil and military officers and some of the native Louisianians were exerting their influence in favor of a free state, if not for general suffrage regardless of race. But there were others trying and planning to restore the state without jeopardizing the institution of slavery. Such conflict of purpose among the nominally loyal men, under these circumstances retarded the progress of reconstruction. At length, early in 1864, General Banks declared the constitution of 1852, except the slavery clause, to be in force and called for an election of state officers. The new officials were duly elected and installed, but Governor Michael Hahn also received a commission from the President as military governor of the state, succeeding General Shepley. A constitutional convention was held and a free state constitution adopted, September 5, 1864, but the movement failed to command the respect of the community. It bore the marks of outside influence, and it had been brought to pass by the agency of men among whom were many whose conduct had not been dignified and reassuring. However, presently local antagonism turned into local support. The offices were filled by men acceptable to local public sentiment, but not to sentiment that prevailed in Washington. The Reconstruction Acts of Congress ended this state government in 1867.<sup>14</sup> Amidst such conditions, Butler, Denison, Shepley, Hahn, and many others had a very difficult time trying to perform their official duties.

Denison's relations were based on confidence from the very first. On July 23, 1862, Secretary Chase wrote him: "Continue to write me privately of all that relates to persons and things not proper for the subject of official communications. Write if practicable at least once a week. Write fully and without re-

<sup>13</sup> American Historical Association, *Annual Report*, 1902, II, 297-298.

<sup>14</sup> *Ibid.*

serve, and be sure that you will in no wise be injured thereby." Denison was honest and worked hard without prejudice or favoritism to any one. In his letters to Chase and to the various members of his family he gives an excellent picture of social and political conditions in New Orleans, as well as accounts of many of the important military engagements in that section.<sup>15</sup>

When Butler went North, removed by French influence, it was said that Denison missed his inspiration. However, he worked harmoniously with General Banks who succeeded Butler.<sup>16</sup> It was not the intention of the administration to retain Denison long in the collectorship, and in February, 1863, he yielded his office to Cuthbert Bullitt, taking for himself the duties of special agent and acting surveyor and acting collector of internal revenue for the district of New Orleans, a place of equal responsibility and requiring no little delicacy in the performance of its duties. Chase wrote him: "This is not from any dissatisfaction with your work, but partly because it seems most fitting that this particular office should be held by an old resident of the place. Everyone speaks of you in terms of praise, which you may be sure is very pleasing to me. My confidence in you was in your blood, and in your father's son, and most fully have you justified it."<sup>17</sup> When, in April, 1864, Denison found that on account of serious illness it was necessary for him to visit the North, Chase exceeded regulations in permitting it.<sup>18</sup>

Denison went out of office on June 24, 1865, and intended, after a short visit to the North, to return to New Orleans to engage in sugar planting in partnership with two other lessees. But upon his return he accepted, for some months, a commission as supervising special agent of the Treasury Department for the state of Texas.<sup>19</sup> The successor of Denison to his second position was William Pitt Kellogg, also a native of Vermont, but who had adopted Illinois, and in 1861 had become its chief justice. His commission was signed on April 14, 1865, and was perhaps the last commission that Lincoln ever signed.<sup>20</sup>

The Union cause was dear to Denison and he lost no opportunity to serve his country. He was also a strong advocate of arming the Negroes and using them to fight for the Union.<sup>21</sup>

<sup>15</sup> Denison Papers, Library of Congress, Introduction, 17-18.

<sup>16</sup> *Ibid.*, 21.

<sup>17</sup> *Ibid.*, 25.

<sup>18</sup> *Ibid.*, 28.

<sup>19</sup> *Ibid.*, 29.

<sup>20</sup> *Ibid.*, 30.

<sup>21</sup> *Ibid.*, *passim*.

He took deep interest in the Loyal Convention in Philadelphia, and had he lived he doubtlessly would have been an influential member of that body. He had been prostrate with congestive fever, but had partially recovered when he left New Orleans in the steamer *Monterey* to make his annual visit to the North. His sickness returned and in spite of careful nursing and every care bestowed by a lady, the wife of an intimate friend who was going to the North on the same steamer, he sank under it and died on the seventh day out from New Orleans. At sundown the steamer was stopped on her course, passengers and crew were mustered on deck and knelt with bared heads. The captain read the burial service and the corpse, wrapped in the flag of his country, which he loved so truly, was committed to the keeping of the Deep, till the Sea shall give up its dead. On September 9, 1866, Professor M. H. Buckham preached an obituary discourse at Royalton, Vermont.<sup>22</sup>

In preparing for publication the letters of George Denison<sup>23</sup> to various members of his family the editor has selected the ones written from Texas and Louisiana which have to do with life and conditions in the South, and which in reality form a biography of the man who wrote them. The letters of Denison to Secretary Chase have already been published,<sup>24</sup> and they have not been included in this collection. Many more of his letters are very interesting, but they either contain more family matters or about the same ideas as conveyed in some of those included in this selection. Since it was not possible to include all of them, many good letters have been omitted.

#### THE LETTERS

Bloomfield Vt. Nov. 12th 1854.

Dear Brother Jim—

You see my letter is date *Bloomfield &c.* I am on my way to Texas with Aunt Lizzie & her little girl, & we spend the Sunday here. On Monday we shall go on to New York, then

<sup>22</sup> *Ibid.*, at end of volume III.

<sup>23</sup> The major portion of the Denison correspondence was given to the Library of Congress in 1904, by his brother, Professor James Denison, of Gallaudet College, Kendall Green, Washington, D. C. The other letters of the collection were presented to the same library in 1935 by Miss Mary Jameson of Santa Barbara, California, and are bound with the others, making in all three large volumes. These last-mentioned letters consist largely of letters of George Denison to his sister, Eliza Denison, who was teaching in Marion, Alabama, in 1853 and 1854, but who, in 1855, married John Alexander Jameson, lawyer in Chicago, author of *Jameson's Constitutional Convention*, and from 1866 to 1883 judge of the superior court of Chicago.—Denison Papers, Library of Congress, Introduction.

<sup>24</sup> The Denison letters to Chase, from May, 1862, to March, 1865, are of much value from a historical point of view and were published in the *Diary and Correspondence of Salmon P. Chase*, in American Historical Association, *Annual Report*, 1902, II, 297-458.

to Philadelphia—then Cincinnati—then New Orleans—then San Antonio. Perhaps I may be able to secure a situation before reaching the last named place, in which case I shall accept it if a good one. I have no doubts of doing well there. Teachers are very much needed in Texas—the people are, many of them, rich & take a great interest in education, & you know they have no common schools there at all. We go through Philadelphia because there is a Texas lady there who wanted to go back with us, & Aunt Lizzie promised a long time ago to take that route for her accommodation. Perhaps Perkins said something to you about our passing through Rutland. That was Grandfather's plan but in that case we should have had to take some other than the Philadelphia route & therefore the project was abandoned. I should have liked very much to go through Rutland in order to see you once more, but we could not, & I hope you did not expect us.

My Dear Brother, I did not intend to write you so long a letter, when I commenced, but only to send you a few lines that you might know you were not yet forgotten. You cannot answer this letter till I write again—, for I cannot tell you where to direct a reply. Perhaps I shall be located in San Antonio, perhaps in Austin, perhaps in some other Texas town. I will let you know as soon as I know myself, & then you must write often & long. I cannot tell how long I shall stay in Texas. If my health remains good, & I am successful, I shall perhaps stay two years—possibly only one, and possibly three.

Your affectionate brother—

George S. Denison.

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Louisville, Kentucky, Saturday Morn—Nov 18th  
(I believe)

Dear Mother—

We arrived here in safety yesterday afternoon. Thursday night we spent in Cincinnati. On the road from Phil. to Cincinnati we fell in with Mrs. Stewart, a Texas friend of Aunt Lizzie's & a young lady who is going to Texas with her. Our party is now composed of Mrs. Stewart, Miss McKenzie, Mrs. Harris Nurse & two children, Mrs. Denison & child & myself. I am "chief cook & bottle-washer" to the whole concern, & you

can judge whether such an amount of care & responsibility increases or diminishes the pleasure of traveling. Of one thing you will be glad to hear—the yellow fever has disappeared almost entirely from New Orleans & all along the river there is hardly any at all—so that everybody journeys now with perfect impunity—without the least danger. We start this morning at 10 o'clock for Memphis. The river is very low and none but small boats come up to Louisville, for which reason the fare is higher than in good traveling. The fare from this place to Memphis is \$15, & from Memphis to New Orleans somewhere from \$8 to \$10. We are all well & in good spirits. I will write you from the next convenient place—from Memphis perhaps, where we shall be in three or four days. There is a regular line of packets from Memphis to N.O. so that we do not expect to be detained there at all. The weather here is cold & chilly—There have been some severe frosts extending over even the most southern states. Love to all—Your Son—George S. Denison.

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Lake Providence, Dec. 2nd—1854.

Dear Mother—

You are probably by this time anxiously expecting a letter from me, as it is now fourteen or fifteen days since I have written—I promised at the time of leaving home to write every time an opportunity was presented—& so I have. We left Louisville about six hours after I had finished writing my last letter home. We took passage for Memphis, Tenn., on the Express, a small uncomfortable and dirty boat, but the best we could get on account that none but small boats can come up to Louisville at this stage of the river. We could not get a boat that runs further than Memphis, else we should have bought tickets for Lake Providence. Ninety miles below Louisville we got aground on a bar, where we spent Sunday & part of Monday. There were at one time six steamboats all aground within a short distance of each other. That first Sunday on the Ohio added a great deal to my experience. As the boat was crowded with passengers, & the hands all at work to get us off the bar, there was not much to remind one of a New England Sabbath. I forgot to mention that just as we were leaving Louisville a Texas gentleman came aboard, whom they call Uncle Charley Bullard. He is going on

to Matagorda, where he usually spends the winter, & immediately took charge of Mrs. Harris & her family, with whom he went on another boat at the mouth of the Ohio. On the morning of the second Sunday we were on the "Father of Waters". A clergyman from N.Y. with whom I became quite well acquainted, & who has been elected professor in a Theological College of Mississippi, preached an excellent Sermon. We arrived at Memphis Monday night, being nine days between Louisville & Memphis—a distance of about six hundred miles. We had as pleasant a trip as could be expected—there was plenty of music on board, & dancing almost every night. One of the passengers was young Ward, who helped his brother Matt Ward, in the murder of Butler. He seemed to be almost universally detested, & he deserves that he should be. At Memphis we went directly on board a St. Louis boat, the Ocean bound for New Orleans. We arrived at Lake Providence Thursday afternoon & luckily found Col. Benton in town, with whom we rode out to his plantation. The yellow fever entirely disappeared about three weeks ago. Mrs. Benton's two sisters both had it, & she herself never recovered. She died about the first of Nov. Her two sisters are still here and also her brother Mr. William Royal, who starts for N.O. this evening. I cannot tell when we shall leave. It is quite sad here on account of Mrs. Benton's death, & Aunt Lizzie is not quite well. She has a cold, & I think, will prefer to stay here a day or two longer rather than go with Mr. Royal. I have been in good health & Spirits ever since leaving home & prospects seem bright. I can easily get some situation in this state I think, which would be far more lucrative than any in Vermont. About this I will tell you more at another time. I would not stay in this town if I could—the prospect of certainly having the yellow fever not being quite pleasant. This is the first opportunity I have had to write since leaving Louisville, & you shall soon hear from me again. Aunt Lizzie will write before we leave this place—she would this morning but for her cold. It is quite warm here, even at this season of the year. The wind is like that of our Summer. Give my love to the dear folks at home, & say that I promise to write to each one of them when I get settled

Your affectionate Son—

George S. Denison

Mrs. E. S. Denison—  
Royalton, Vermont

Geo. S. Denison  
Lake Providence (La)  
Dec. 4—1854.  
Paid 3

Lake Providence, La. Wednesday Dec. 6th—1854.

Dear Mother:

You need not expect a lengthy epistle at present—I only sit down to inform you of our continued prosperity. Aunt Lizzie has at length recovered entirely. She has been able to sit up all day today, & is sufficiently well to go on. We shall start for New Orleans to-night, or more probably, to-morrow morning, & shall take the steamer for Port La Vacca, which leaves N. Orleans Sunday morning. We shall be three days between N.O. & P. La Vacca & San Antonio, & two days will be necessary to go from here to N.O.—so that you can easily calculate the time we shall be in San Antonio. Some of you had better commence writing letters to us at San Antonio—they won't reach us any sooner than we shall want to receive them—Love to all—Tell Grandfather that I will write to him as soon as I get settled. It already seems an age since I left home & it is only four weeks.

Aunt Lizzie says she will write from New Orleans—but now she feels rather too weak to write a long letter, & she will not write a short one—

Your loving Son

G. S. Denison.

P.S. George Burkhart got home safely about a week after the storm. His goods were not much injured.—You have awfully cold weather now at home I suppose. This is the fifth time I have written you since leaving home—

George.

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Mrs. E. S. Denison  
Royalton Vermont  
Geo. S. Denison  
(Lake Providence)  
Dec. 7—1854

Lake Providence La. Dec. 6th 1854.

Dear Sister—

You are not surprised, I hope, that you did not receive a letter from me before I left home. If I had written at all you

would have been the first to whom a letter would have been directed, but there was no time for writing, or if there were, my thoughts were entirely occupied with preparations for a long absence. You cannot think how I hated to leave home when the time really arrived that we should go. The prospect of my absence of one or two years from such a home as ours has been to me, is enough to overwhelm anyone. And yet I, whom you, I am afraid, think selfish & hard-hearted, but who in reality do always half-blunder on every trying separation, choked down all sighs, & left *apparently* in high spirits. They probably did not apprehend what I did—the coming of the indefinite dissatisfaction & longing commonly called home-sickness—a slight touch of which I have already experienced, & now is to follow. Perhaps you would like to know something of our journey—We left home three weeks ago last Friday—Spent the next Sunday at Mr. Grant's—arrived at Philadelphia Monday night, where we waited until Wednesday for Mrs. Harris, a friend of Aunt Lizzie who was going to Texas with us. The next Thursday night we spent in Cincinnati & arrived in Louisville Ky. on Friday. Saturday we went on board a little steamboat for Memphis Tenn., & were *ten days* in accomplishing the trip to the latter place a distance of about 600 miles. We immediately on our arrival, went on board a boat for this place, where we arrived last Thursday. Perhaps you remember a stepdaughter of Aunt Lizzie, whom she told you of, who was uncommonly skilled in flirtation, & uncommonly successful thereat, in so much that she had had some less than two hundred offers of marriage. This lady married Col. Benton, on whose plantation we now are, & who is cousin to Tom Benton the Great. It was to visit her we stopped here, but what was our surprise to learn that she died four weeks ago of the Yellow fever. She was still quite young, & was surrounded by wealth & brilliant society. What an ending to a life of gaiety & frivolous pleasure! Aunt Lizzie was somewhat unwell & she determined to stop here two or three days to recruit, but we have been here since last Thursday, a week ago tomorrow, & she has just got well enough to go on. I think she was threatened with a fever. She is entirely recovered now, though somewhat weak, & we shall go on to N. Orleans to-night or to-morrow morning. We mean to go on the packet which leaves N.O. for Texas next Sunday morning, & shall be three days in going to Port La Vacca, & three days more in going from the latter place by stage

to San Antonio. You now have an outline of our journey—both that which is past & that which is to come. I might fill several pages with the details, if I did not have too much regard for your patience. If we remain in New Orleans long enough I mean to find our mutual friend John Quincy Adams Fellows who is residing there now. I received your last note three or four days before leaving home, & was somewhat sorry to have my expectations confirmed that the situation you mentioned was no longer vacant. The other matters you spoke of, I really hope, dear sister, will never cause you any more inconvenience. If you were really in fault I forgive you as heartily as can be. But perhaps, I was to blame, in being *too* easily annoyed & in considering those actions of some consequence, which really were of not the least consequence in the world. But how utterly foolish it would be to allow any little misunderstanding of that sort, to produce any coldness between us two—the oldest, & we should be the nearest in the family—the only ones, in fact, who have arrived at anything like maturity. I imagine you think me rather selfish & not very affectionate—certainly I am not demonstrative in my affection, but you may be assured I am deeply attached to each & all my relations as you, or any one, can be. But you know all about our respective relations as well as I do, & there is no need to speak of that subject any more. We shall be much nearer each other than either of us will be to the folks at home, & nothing will hinder us from exchanging letters frequently. Where I shall be I cannot tell with certainty, but possibly in San Antonio. I am afraid that not as good opportunities will be presented there, as could be found in other parts of Texas, but about that I can tell better on our arrival. If I can find a better chance I shall embrace it. I am most anxious to make money, so that I may go home again, pay my debts, & have a little left to pursue my studies with.

You cannot imagine how sorry I was to go away from mother & all the little children at home. I think I have been of some service to them & I know they were unwilling that I should leave them. However, two years at most shall return me if fortune favors. I do not wonder you are not fascinated by Southern society, if what you see is like what there is here. The women are artificial—rouged & chalked—the men sentimental fops, who understand nothing except to drink brandy, smoke, & quote Byron & Moore. One subject engrosses the attention & thoughts

of all the young—that is—love & marriage. They talk, look & act, as if their minds were on this deserving theme all the time.—If you want to write me before you receive another letter direct to Uncle Jim's care. I will write again as soon as we get to San Antonio. You would have had a letter from me before now but this is the first opportunity for writing since leaving home. Give my respects to Jane Noble, & whenever you hear of anything of interest at home, just let me know it.

Your loving Brother—

George S. Denison.

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New Orleans, Thursday Morn, Nov. 14—1854.

(Dec. 14)

Dear Mother—

We arrived here Monday Morning a little too late for the Steamer, & therefore were obliged to remain here till to-day. We leave this morning at 8 o'clock in the Steam Ship Perseverance. I have delayed writing you so long, that now I have not sufficient time for a long letter. I have spent considerable time with my old teacher J.Q.A. Fellows—He sends his regards &c

Love to all—Your affecte Son

George S. Denison.

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San Antonio, Texas, Dec. 24th, 1854.

Dear Brother Jim—

Our long journey is at last finished, & here I am safe in the ancient city of San Antonio—We arrived here last Wednesday night & I have just got fairly rested from the fatigue attending our passage from New Orleans. My desire to hear from you is so great, that I write you by the first mail in order that you may know where to direct your answer & that it may arrive as soon as possible. You see, it takes, usually four weeks for a letter from Vermont to reach this place, & the same length of time is necessary for my letters to reach you, so that if each of us wait for an answer to every letter, before writing another, we shall hear from each other only once in two or three months. Therefore you should write once in two or three weeks at all events, & I will do the same. Letters are often lost between Texas and Vermont, so that one must not be dissatisfied at the non-reception of an

expected letter. I wrote you from Mr. Grant's & you probably received from home information of our progress. We were a long time in performing our journey being occupied precisely six weeks, but we were fortunate in escaping all danger & sickness of any consequence. At Lake Providence, La., where we stopped to see Aunt Lizzie's daughter-in-Law we were detained a week by a slight indisposition of Aunt Lizzie, then we arrived in N.O. just too late for the Texas Steamship, & were obliged to remain there three or four days. I could write you fifty pages in describing our trip down the Ohio & Mississippi rivers, & if I could make the written account as pleasant to you as the experience was to us, you would find it a most interesting letter. In fact, I have seen so great a variety of places, & manners & men—so much that is new & interesting—that I am at loss what to tell you of, or what to be silent about. I enjoyed myself extremely in New Orleans. During the winter season, this is probably the most gay City in the Union—perhaps in the world. No sooner does the epidemic (yellow fever) cease, than fashionable people begin to flock in from all parts of the world, & every body seems to give themselves up entirely to enjoyment, as a recompense for their suffering & sickness during the summer. I found there Mr. Fellows, my old teacher in Royalton, with whom I had a very pleasant time. I shall not tell you much about this place San Antonio at present, for it is a locality of far too much interest to be described properly in a short time. The city was built in 1731, & at present contains about 10,000 inhabitants from almost every nation on the globe, but more than one half are Mexicans. In passing along these streets you can hear seventeen different languages spoken, & see every variety of countenance & costume. It is rich in historical associations—here occurred some of the principal events in the Texas revolution—the battle of the Alamo<sup>25</sup>—the Massacre of Fannin<sup>26</sup> & his men, to which events

<sup>25</sup> In the early days of 1836 fort after fort fell in Texas, but 183 men under W. B. Travis refused to retreat from the old fort of the Alamo in the face of 1000 or more Mexicans under Santa Anna. The Mexicans closed in about the fort and after a thirteen-day siege it was captured by storm, but all but six of the defenders had already died at their post. The remnant of survivors were shot by Santa Anna in spite of the protest of some of his officers.—John Spencer Bassett, *Short History of the United States*, 421.

<sup>26</sup> James W. Fannin was born in North Carolina about 1800, and died in Goliad, Texas, March 27, 1836. He became a captain in the Texas army in 1835, and on October 28, 1835, he and Captain Bowie with ninety men defeated the Mexicans near Bexar. After this he was promoted to colonel and inspector-general. In January, 1836, he set out to reinforce Dr. James Grant, who took an unauthorized force to Matamoras. At Refugio he learned of the destruction of Grant's party, so he fell back to Goliad. On March 19, he was attacked by Urrea. They fought until night and the Mexicans were reinforced by 500 fresh men during the night, which led the Texans to capitulate the next morning under guarantee that they would be treated as prisoners of war and as soon as possible sent to the United States. They were taken to Goliad, where on March 26 Santa Anna ordered them shot, and at daybreak of the following day 357 of the prisoners, all except four physicians and their assistants, were marched out under various pretexts and fired upon in divisions. Fannin was shot last. Many tried to escape, but the cavalry chased them down. It is thought that twenty-seven escaped death.—Appleton's *Cyclopaedia of American Biography*, II, 405.

perhaps Texas owes her independence—the death of Crockett<sup>27</sup> & of the famous Bowie,<sup>28</sup> the inventor of the Bowie knife—these are only a small part of the interesting events which have occurred here. A large river of the purest water runs through the town which rises only three miles above here from a few immense springs. Here is a large convent & Cathedral, & here are old Mexican forts & houses built more than a hundred years ago. Here is the regular station for the United States army in the South west & yesterday I saw several companies of Texas rangers set out for the west to fight the Indians. Hostilities with the Indians are about to commence in earnest, & there will be either a bloody or protracted struggle. I have sometime or other an idea of writing you a letter for publication in your paper—Don't say anything to it to any one, but give me your opinion on the subject. Uncle Jim is well & at present we are staying at the Plaza House, but he is about to buy a house, when we shall leave the Hotel & I shall board with them. Whether I shall do well here or not, I cannot tell but everything promises well. My school will commence a week from tomorrow, & I have already secured a decent number of scholars. Uncle is as kind to me as if I were his own son. You must remember Jim, not to repeat anything I may tell you about my private affairs here, for whether I do well or not, I do not want people talking about it. I may sometimes tell you things unknown to the people at home, but you must remember to "lay low". Do my dear Brother write me a long letter once a fortnight, for I may get homesick if my relations don't pay me a little attention. I will soon write you more at length. Until then  
*Adios.*

Your loving Brother—

Geo. S. Denison—

Send me your paper whenever you can conveniently. Direct your letters to me at San Antonio, Texas. If you write home soon tell them you have heard from me.

<sup>27</sup> David Crockett was born in Tennessee, August 17, 1786, and died in Texas, March 6, 1836. He had little schooling; was made magistrate and then colonel; took part in the Creek War; was elected to the legislature in 1821 even if he had never read a newspaper in his life; and then served again from 1823 to 1824. He was defeated for Congress in 1824, but was elected in 1826, serving from 1827 to 1831. He was defeated in 1830, but served from 1833 to 1835. He could not be elected in Tennessee after he broke with Jackson, so he went to Texas where he helped defend the Alamo. He was one of the six to surrender, but was massacred.—Appleton's *Cyclopaedia of American Biography*, II. 12.

<sup>28</sup> James Bowie was born in Georgia in 1790, and died in the Alamo, March 6, 1836. He moved with his parents to Louisiana in 1802. In 1827 Dr. Maddock and Samuel Wells fought a duel near Natchez. They fired two shots, but without effect, and then their friends joined in the mêlée in which fifteen were wounded and six killed. Bowie, who had been shot early in the fight, drew his knife which he had made from a large file or blacksmith's rasp, and killed Major Norris Wright with it. After the conflict the knife was sent to Philadelphia where it was fashioned by a cutler into a weapon called the Bowie Knife. Bowie later went to Texas; fought near San Saba, November 2, 1831; was in some battles in 1835; rose to the rank of colonel in the Texan army; and was killed in the capture of the Alamo.—Appleton's *Cyclopaedia of American Biography*, I, 338.

San Antonio, Texas—December 26th—1854.

Dear Mother—

I like this country better than any I have seen since leaving Vermont, but I shall reserve a description of this place & its surroundings for some future letter. It seems like our June here now a gentle warm wind is blowing, & the air and trees are full of singing birds. Yesterday was Christmas—the first I ever spent away from home, & to me how unlike any Christmas I ever passed before. The people here celebrate this holiday almost as we at the North do the Fourth of July—that is, by getting drunk, making bonfires & firing pistols.

There is not so much dissipation here as in many places through which we have passed. If a drunken man appears in the streets, he is immediately put in the *calaboose* or jail, except during Christmas, when everybody is unrestrained. It seems to me that every man, woman and child here smokes habitually. Of late I have been thinking considerably about this habit, & I have come to the conclusion, that it is almost impossible for a sane man to become dissipated except through the medium of this practice. I have not used a cigar or pipe since last Thursday & having deliberately determined to discard them utterly. I hope soon to announce that *tobacco* is my abomination. Of one thing you may be assured—that there is no more possibility of my acquiring bad habits here, than there was at home. Though public opinion here does not condemn dissipation so much as in New England, yet that will make no difference with a man who understands his true interests.—You cannot complain, Dear Mother, that I have not written you often enough, this being the seventh letter you have received from me. You need not fear that it is possible for me to neglect you. I am going to do well here, I think & have already engaged principally by Uncle Jim's assistance, a schoolroom & a fair number of scholars. Grandfather will tell you what I said about studying law—I want him to talk to you about it—Love to all the children & tell everybody to write to me—

Your affectionate Son—

George S. Denison.

San Antonio, Jan. 6th, 1855—

Dear Mother—

A day or two ago I wrote Frank a little letter & just enclosed a few lines to you, as you would not forget, I suppose, my omitting to communicate with you at every convenient opportunity. My school commenced last Wednesday (This is Saturday) & opened as favorable as could be expected, or, perhaps wished. The gentleman who commenced a boy's school here last year, had at first but four scholars, but afterwards the number amounted to thirty. He has given up the male department & is now teaching a school of girls. Luckily for me, he is a disagreeable & unpopular man, else he would not have left a vacancy for me. I have now twelve scholars, & four more engaged to come in on Monday, & if everything goes on well I shall soon have as many pupils as I want. I have no doubt of doing well here, if that other man whom I mentioned to you does not come, & Uncle Jim says there is not the slightest possibility of that. From the paper I sent, you can see what the tuition is—It will average about \$4 per month for each scholar, & then I shall have to pay \$15 or \$18 per month for a school room. Rents are very high here, & no good room can be obtained for less than that. At any rate I shall be able to pay my expenses, & perhaps in the course of time, make money enough to come home with. I owe nothing except to Grandfather, & that small debt of \$7 to Dr. Lyman which I entirely forgot before I came away, & some of you at home must, for all that I see, settle that, & look to me &c. I never before realized what a responsibility I assumed in contracting so large a debt to encumber me on first entering the world, but you may be assured of one thing—that I shall never go home again, if my health is preserved, till I can go with the power of cancelling all my pecuniary obligations, even tho' it should take ten years to acquire the ability. I told you that Uncle Jim advises me to study law with him, & asked your opinion about it. If I should do so, I perhaps shall settle somewhere in Texas, & presume it would be the best way for me in a simply pecuniary point of view. If you give an opinion, I hope you will make it strong—more like a command, than like advice. This city is more like the North than any other part of Texas. There are very few Niggers here, & many of the people are originally from the North. There is a large amount of floating population men adventurers—which is not a valuable addition to any

place. I am afraid you home people are not going to write to me often enough—it is now two months since I left home, & as yet have no means of knowing whether you are alive or dead. A short letter is as valuable on some accounts, as a long one, & I am sure some of you can get time as often as once a week, to write a few lines. You certainly cannot complain of negligence on my part since leaving home, for I have written you eight or nine times & Aunt Rachel once, & also a semi-business letter to Grandfather.

We are all now staying at the Plaza house, but Uncle Jim has just bought a nice house & perhaps in three weeks we shall be well settled there. It is situated across the river from here, & can be disposed of any time for the same price which Uncle Jim paid. A house which in Royalton would not be considered more than respectable, would here be thought a splendid edifice. The expensiveness of buildings here arises more from the high price of labor than from any other cause. There is a kind of stone here, which when first taken from the quarry, is so soft as to be easily cut with a knife, & made to assume any form, but by exposure to the weather it becomes hard, & makes a very durable & fine looking house. Many of the Mexican houses are made of *adobe*, many are made of posts driven in the ground, & the interstices being filled with clay, & are covered with thatched roofs. Everybody seems bent on making money & don't care how they live, provided they arrive at that result. There are three churches in town, besides the Catholic Cathedral, but the people seem to regard religion as a thing of not much consequence. I have not heard preaching since leaving home, except once in Bloomfield, & once on board the Steamboat coming down the Ohio river. Although there are three churches here, there has been no preaching since our arrival. The Episcopal Church is certainly broken up now, & the Minister, Mr. Botenstein had gone away, & the others might as well be, for all the good they do. The Roman Catholics are the only persons who attend to religious exercises, but they are everywhere the most devout & profane persons in the world. There is a large Cathedral here, a large and flourishing Convent, & fifty or sixty Jesuit priests.

How I pity you during these winter months so cold at home—while here a fire is hardly ever necessary, & yet I would not have you exchange Vermont for any place in the world—perhaps I would not myself.

I have written two letters to Eliza & two to Jimmy, & to Aunt Rachel I am going to write before long. Give my love to everybody—more particularly to all Grandfather's folks & the children.

Your affectionate Son,

George S. Denison.

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San Antonio, Feb. 10th—1855.

My Dear Sister—

I am getting on finely here, having at present nineteen scholars, which number will soon increase to twenty-five or thirty. Next session I shall increase my tuition & limit the number to twenty-five. At present the tuition is three, four & five dollars *per month*, according to the advancement of the scholar. The most influential men in the city are my patrons, and they promise me everything in the way of support and encouragement, & without doubt, I can do *very* well after this first session. The "delightful task", of which the poet speaks so enthusiastically, is much less delightful here, I find, than at the North. The boys are more restless less studious & less easily subjected to control here than there, & yet I have no doubt of success.

I have become pretty widely acquainted, & like the people very much. They are kind, hospitable & well informed. This last named quality may, perhaps, be accounted for by the fact that a large portion of them are originally from the Northern States, for I think that, as a general thing, the Northerners here are better *educated* than the Southerners, though not possessing more natural ability. Last night I took tea & spent the evening at Mr. Tunstall's, Uncle Jim's Partner, who sends two boys to my school, & is very kind to me. I like him very much and all his family.

Uncle Jim got back last night from the coast, & brought with him Aunt Lizzie's Mother, Mrs. Love, & their servant, Fanny. The other servant will arrive in a day or two with the greater part of the furniture, & then we are all going into the new house Uncle Jim has bought. It is situated on the east side of the river, quite near the stream, & is a far better building than most of the houses in this mighty city. I like Mrs. Love very much. She looks just like Aunt Lizzie, only about twenty years older, & I should think, is very much like her in all respects. The Nigger

servant Fanny, is a perfect curiosity, weighing about three hundred & two or three shades blacker than charcoal. Very few negroes are brought here, for on account of our vicinity to the Mexican border they are very apt to run off into Mexico. Germans, Mexicans, & other foreigners form the laboring class. You can form some idea of the variety of the elements in our population, when I tell you that there are twenty-four or five different languages spoken in our streets, & great numbers cannot speak English at all.

February 14th. I have not found time sooner than this to complete your letter, or at least, when I have been at leisure, I have been too tired to write or do anything else but rest. I am in the school-room about eight hours each day, & as teaching is & always was, the most tiresome work I ever did, of course, when night comes I am not much in the condition to write with pleasure to myself, or interest to you. The number of my scholars is now twenty, & before the close of the present session it will probably increase to thirty.

To-night I received letters from home—one from Grandfather & others from Mother, Lucy, Clara & Charley. I wonder if such things give you as much pleasure and satisfaction as they do me. Of one thing my friends can be assured—that I never can become *weaned* from home, as long as they regularly suply me with such testimonials of affection as I have rec'd to-day. I am afraid, from what was contained in the letters, that Grandfather is not going to live a great while longer. Both he & Grandmother are too old & feeble to survive for many seasons.

This is the most delightful winter climate, & altogether the most desirable country, I have ever known anything about—by experience. The weather is mostly, quite warm, sometimes uncomfortably so, & the only real winter is when the *Northers* prevail. These winds usually follow an unusually hot day, & always arise very suddenly. One minute you may be uncomfortably warm & the next the doors begin to slam & the windows to rattle, & for two or three days thereafter people are glad to stay near a warm fire.

You cannot tell how glad I am to be doing something for myself & others, & to have a hand & voice in the affairs of the world. I am going to study Law with Uncle Jim, and am now trying to learn Spanish tho' the progress is but slow. You said you

pitied me, but I cannot imagine how I am the proper object of such a feeling. You may be assured I shall endeavor not to deserve pity, so much as praise. On Friday next we shall go into the New house, & begin living in earnest. I will write you as often as possible & may you do the same for me.

Your affectionate Brother—

George S. Denison

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San Antonio, Sunday, February 25th—1855—

My Dear Mother—

I could not forgive myself, should I ever write home without sending you some word, & now as I have just finished writing to the children, I will close the exercises by addressing a few words to yourself. You must have got my last letters quite recently, & I have nothing new or of interest to write. I might, to be sure, discuss the weather & similar topics, but the present weather is far too disagreeable to dwell upon. Cold & rainy—quite cold & very rainy—that finishes the subject. Of one fact I am convinced—that there is no *Mud* in Vermont. But here we have it in all the perfection of softness & sliminess. The soil is about one half lime, & when a rain commences, it begins to grow slippery on the surface, & after a long rain one must walk knee deep in a soil as beautiful and rich as could be wished, & in going across the street he collects on each sole, quite a small farm. It has been raining for two or three days, & yesterday & today I have scarcely gone out at all. You cannot imagine how beautiful are our pleasant days in winter, & you can form no idea how disagreeable it is when not pleasant. There is no neutrality in the weather—it is either *for* or *against* us.

Tell my good old Grandfather I am going to write to him at the earliest opportunity. Give my love to every-body & make everybody write to me. Aunt Lizzie sends her love, & says she has a severe toothache. Yours—G. S. Denison.

P. S. There is a large and flourishing Sunday School here in the Presbyterian Church. Perhaps you will not be sorry to know that I assist, & it gives me pleasure to do so. There is no minister, but it is hoped one will be secured before long. G.

San Antonio, April 6th 1855.

My Dear Sister Eliza—

Since I last wrote I have received two letters from you—one long one and one good one. In fact they were both most excellent, but the first in which you regretted so dolorously my supposed moral weakness & the temptations to which it is exposed—was prompted by an unnecessary, though loving, solicitude. The result of my experience, my dear Sister, is that corruption and wrong exist in every community, almost equally. I knew a great deal about Burlington and what prevailed there, & also about the country generally in New England, & I must say that there is not less wrong & sin there than here. The great difference is that bad things are done more openly here than there, but there is no more bad done. And in fact, all through *this* part of the South, there is greater liberty of opinion & the expression of opinion, than I ever knew of elsewhere. A man can state and advocate any opinion, of the truth of which he is convinced, & not be subjected to abuse or ridicule or persecution therefor. Compared with these people the descendants of the Pilgrims are really intolerant. Perhaps I have not made the idea plain, but to me it seems not only plain but true. I have been exposed to as great temptations in Vermont as I ever can be here, & I think there was more unreasonable vice in the town of Burlington than in this City, & I ought to know. To tell the truth I have become almost tired of hearing so much about the horrors of the South in a moral & social point of view. Cannot the dear anxious people at home understand that I am in the very locality where those imaginary evils should exist (if they existed at all) which they so much deplore—and have a much better opportunity of judging of them than they do, & would much rather form my own opinion, than have it formed for me? But for fear giving you pain & provoking further discussion, I will drop this subject for the present.

I have become pretty widely acquainted here. I like the people very much indeed. They are of liberal and cultivated minds, & would compare favorably with the very best class of persons in any part of the North—& in fact would excell them in hospitality and general kindness. That ignorance of which you have so often spoken as prevailing in Alabama, you would look for here in vain. Talent, Culture Enterprise & energy, are qualities existing either single or together in almost every character you meet. A large portion of the people are Northerners—an

equally large number are Germans, & twenty or thirty other nations furnish each its own quota of the population. There is not a City in the world, I suppose, of the same size as this, which can furnish such a variety of human countenance & character. The number of languages spoken here is between twenty five and thirty. The number of negroes in the city, & indeed in all this part of the state, is comparatively small. They cannot be kept here without great risk of their running away. The Mexican border is not far distant—the country between here & there almost unsettled, & as there are always Mexicans who are ready and willing to help the slaves off, the latter almost always succeed in escaping when they undertake it. Mexicans & Germans do most of the manual labor, but it is almost as honorable for a white man to labor here as at the North.

You cannot imagine how happily we are living here My dear Sister. I wish you were here. Of one thing I am certain you have no adequate idea, and that is the estimation & regard in which Uncle Jim holds you. He thinks there never was another such woman either in appearance or ability, & he speaks of you very frequently—Your letters give him great pleasure & I imagine he would answer them, if he ever answered any letters. I expected to be very homesick, but I am so nicely circumstanced & like the country so much that I had just as lief stay here as to home. I should like to live at home pretty well, but I could never determine to spend my whole life in severe toil, which would bring nothing but bread, & this I should have to do in Vermont. The South-West or the West, is where energy & industry cannot fail of a sufficient reward.

I am not sorry Mr. Levett has resigned for now there will be some probability of your leaving Alabama, and closing your career as an "able & thorough instructor." Now do not for any thing in the world feel anxiety about your future occupation or residence. If you are determined to teach, you can without difficulty, secure a good situation in a little time, & whatever may be your intentions, a young lady of your ability, energy & *good looks*, should never despond or despair.

If you do not know to what state you will go now, I have a little project to propose, & that is that you go into the state of *Matrimony*. I only *suggest* this & that timorously too, knowing that it is none of my business, & that you understand your own interest. But have you not, poor girl, been knocked about the

world long enough? I think so, & if your life of labor & turmoil is ever going to cease, it had better now. Assume at once that matronly dignity of which you must sometime become the proprietor, & occupy that station which you so much deserve. Tell me Eliza, are you ever going to marry Mr. Jameson? If so, a better opportunity will never be presented. I have supposed you would be married next summer, is it so? I received a letter from home more than a month ago, & another yesterday—They do not write very often to you or me, but that is not their fault. The last they had heard of you was in connection with the sprained ankle.

Jane sent me the best little letter in the world, enclosed in a letter from Thomson. If I can ever write an answer as good as she deserves, she shall have it.

Aunt Lizzie sends a great deal of love, & so would Uncle Jim, if he were here. You shall hear from me again soon, & do write me quickly.

Your loving Brother—

George S. Denison.

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San Antonio June 7th—1855.

My Dear Mother—

My position is a very laborious one, and not without peril. I don't mean peril of any consequence, but peril to the *pocket*, to the stomach, the complexion, to energy, & something to character.

This is a grand country for developing laziness. The nights are *cool*, & sometimes even *cold*, the evening and morning quite comfortable, but at noon & thereabouts the heat is almost intolerable. People don't pretend to do much or anything after one o'clock until four or five. After dinner everybody smokes (including every Mexican woman in town, I suppose) & then everybody lies down, & takes a *Siesta* for a couple of hours. I say *everybody*, but mean all except Denison, Instructor, who neither smokes nor takes siestas during session time.

Give my love to everybody—especially the children, & tell them I will write, if it is ever possible. I can't do everything. Give, if you please, the enclosed note to Grandfather.

Your loving Son—George S. D.

P. S. Grandfather's last letter with a note from you, has been received. G.

San Antonio, July 1st, 1855.

Dear Mother—

Two men had a fight with pistols in the streets this (Sunday) Morning, about ten o'clock, and one was killed. He was a gunsmith & said to be a pretty good man. The survivor was apprehended, but I presume he will get off. There had not been anybody killed here before, for five or six weeks—The Indians are very bad here now. Of late there have been several fights within twenty miles of town, & they come down within seven or eight miles and carry off horses to kill them. I saw a company of young fellows "armed to the teeth," start out of town to pursue & attack them, but as they have not yet returned it is not known what has been the result.

I intend to spend a part of my vacation on a ranch (or farm) about forty miles from here, owned by Mr. Wayne—a young man with whom I lately became acquainted. The fishing & hunting in that vicinity, is said to be excellent.

A "fillibuster" expedition is in progress from this vicinity against Mexico. As there is a revolution there now the fillibusters think it a good opportunity to strike a blow, & they are confident of having great spoils to divide. Some of my acquaintances have gone—shouldn't you be pleased to hear of your oldest son, with "Sword & pistol by his Side," helping the poor Mexicans to liberty, & appropriating therefor, the beautiful *hacienda* of some proscribed loyalist?

I think of you often & love you much—George.

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San Antonio, Texas—July 15th—1855—

My Dearest Brother—

A man was killed here a week ago in the street. Several have been thus disposed of, in this vicinity since my arrival. The survivor invariably gets clear.—In three weeks I have a vacation of a month—I am going down the river about forty miles & spend the time on a *ranch* with its owner, a friend of mine—& kill deer & wild turkeys or try to kill them. I shall then be but a little ways from the Rio Grande, right on the other side of which there is, or is about to be, some pretty fair fighting between the Revolutionists & fillibusters on one side, & Santa Anna's troops on the other. It is a "free fight", & perhaps I will slip over there & "go

in". It wont stop my loving you—however much you may neglect me. Please send me a few lines, however, if it ever suits your convenience.

Your loving Brother—

George S Denison

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San Antonio, August 4th—1855.

Dear Mother—

The time has come when I am at leisure again, and am to continue so for four weeks. The last two months have "dragged their slow length along" wearily enough, & it is far from unpleasant to be again unoccupied. Everything has gone prosperously with me, & tho' I have not made much money, I have at least paid my way, & got well started. Election occurs here day after tomorrow. The opposing parties are the Democrats and the Know-Nothings, which latter order includes every American born citizen in this part of Texas, except about a dozen who are office-seekers. There will be two Mass-meetings this evening—A meeting of the Democrats in the Military Plaza to be addressed in Spanish, English & German—and one of the Americans in the Grand Plaza, to be addressed by Messrs. Denison & Davidson. There are so many foreigners of all nations here, & so many Catholics, that their chance of success is better than I wish it was.

I have prospered. The school will recommence on the first Monday of September, with as many scholars as I want. I give private lessons in Latin in the family of Mr. Ritchie, a Virginian, who has beautiful daughters & a beautiful peach-orchard, from both of which much pleasure can be derived. What young people are here, form a most pleasant Society. The prettiest girl in the crowd is a Catholic, but nearly all are most interesting. I don't suppose I could stay anywhere a whole year without being interested by *Common report* to somewhat less than half-a-dozen ladies.

I love you forever—George.

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San Antonio, Aug 23rd—1855

Dear Jim—

For the past ten days I have been in the country about fifty miles down the San Antonio river, & have had a splendid time, but not till I have got back again into this interesting city, do I

know how much it was like the time we spent together at home. When will *that* come again Jim? Not for a long time I fear. Sometimes when I lie down at night, or wake up again in the dark, host of mournful memories crowd themselves upon me about our dear old home in the mountains, but the thought that it is so far away and not to be seen by me for a long long time, makes me close my eyes and try to forget all about it.

There were plenty of deer where I have been, but my host had lately disposed of all his good rifles, & had nothing but an old flint-lock left, which disappointed my hopes several times by missing fire. My host however succeeded in killing one. I saw about 150 in one flock, & one could not go out at any time without seeing several. We went fishing but once, & then caught a cat-fish weighing thirty pounds. We robbed a bee tree and got plenty of fine honey. I killed two rattlesnakes, tho' the first came very near killing me. The second one scared my horse as we were coming home, & I shot him with my revolver. Everybody carries pistols here when traveling, & many carry them always. On election day ninety-nine out of every hundred voters had pistols belted on them, & I saw some of them drawn. In the whole of the election excitement, no damage was done, except the killing of one or two Mexicans..

Your loving—George.

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San Antonio, Texas, Jan. 12th—1855

[1856]

Dear Sister Eliza—

I have become a very little disgusted with this country. It can't be compared with the Green Mountains and I know, not with the *North* west. Don't you suppose it is pleasant to hear the Northern States, and New England in particular, every day reviled and calumniated in Newspapers and conversation? In politics, Texas is the worst State in the Union. Here blossoms and ripens the very fanaticism of Democracy, & here ignorant Dutch and Mexican "Greasers" give laws to "intelligence & virtue". Slavery is the grand Golden Calf, and everyone who don't believe and maintain that it is an institution established by God himself, and is the only hope and object of our common country, is denounced as a traitor to the South & to Republican Institutions. I have been disgusted

with the treatment of a Mr. Sherwood of Galveston, a Lawyer, & Partner of Mr. Goddard, whom or whose brother you used to know in Ohio. Because Mr. S. in the Legislature, advanced the ideas entertained by Henry Clay & Jefferson, he is called all kinds of dreadful names, & is regarded with far more abhorance, than is the man who tried to kill his brother in the streets of San Antonio a day or two ago.—We have no luxuries here except such as are imported. Fruit cannot be raised without great trouble and expense, & people have an abundance of nothing but corn, beef, and sweet potatoes. I do not wish to live here unless it should be greatly for my pecuniary advantage. Did you ever notice what Southern people talk most about? Here the only subject discussed by the lively youth of opposite sexes when they meet together, is usually divided into three parts—ie—Love, Courtship & Marriage, Love Courtship & Marriage! Who is in love with whom—who is going to marry whom—& so on, enough to produce sensations of nausea in the stomach of a Methodist minister. I suppose the idea never entered their heads that they ever were created or designed for any other purpose than to be married, & it is about all a good portion of them are fit for.

My school is going on very well, but I have to work "right hard" (Southern you see) but now that I have got "oncet" started, I have a "heap" of scholars, & can earn a "right smart chance" of money. If I was a newly married young woman,<sup>29</sup> and had little or nothing to do I should write to my relations once in a while, but being only a contemptible Texas pedagogue, I have to work like a slave and get no time to write at all. I call often on my patrons and the young ladies, and teach Sunday School, preside over a Lodge of Good Samaritans (Sons of Temperance) lead the singing in the Presbyterian Church when there is preaching (which, thank God, is not often) and generally make myself as miserable as possible. Nobody understands music here, except two young ladies from Vt. just arrived—Nobody plays the piano—nobody knows anything, except how to swear, drink whiskey, fight, wear six-shooters & Bowie knives, kill their friends or enemies, & talk politics. (One characteristic of the Texans, I forgot to

<sup>29</sup> George Denison's sister, Eliza, had recently married John Alexander Jameson, who was born in Irasburg, Vermont, January 25, 1824, and died in Hyde Park, Illinois, June 16, 1890. He graduated at the University of Vermont in 1846; studied law, and began to practice at Freeport, Illinois, in 1853, but moved to Chicago in April, 1856. In April, 1865, he became judge of the superior court of that city, which position he retained until November, 1883. He was professor of constitutional law, equity, and jurisprudence at the University of Chicago, 1867-1868, when he resigned; and for many years he was assistant editor of the *American Law Register*, published in Philadelphia. He also edited several law books.—Appleton's *Cyclopaedia of American Biography*, III, 400.

mention—i.e.—they are mostly disunionists, & don't care much more about the United States than they do about Beloochistan or Abyssinia) Those young ladies came from Castleton, where they have been at school, & have relatives in this town. They are not very pretty but have a Green Mountain air about them, & that is enough to make them sure of heaven. I attend parties often and am able to "trip the light fantastic toe" with perfect looseness.

Your loving Brother—

George Denison

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San Antonio Sept. 16th—1856.

My Dear Mother—

A short letter from you was enclosed in that of Lewis Maverick,<sup>30</sup> & I was very thankful for it. Of late I have been so negligent about writing home, that I consider every letter received from there as clear gain. I am tired of writing the same things over & over again, which I must do if I say anything about myself. Always suppose that I am prospering, & you will suppose all that letters can tell you.

My school commenced two weeks ago with about the usual number. I never will teach school after this year, if Providence so permits. I am far less energetic & industrious than I used to be which is owing entirely to the climate, but when I visit home next year I hope to become rejuvenated.

Lewis speaks of his visit to our house as one of great pleasure. I know you liked him. I think him one of the best young men *in all respects* I have ever seen. Of course you asked him to come often to our house, & to spend the vacation when he liked. He is much pleased with Burlington, & says he is glad he went there.

I read yesterday that Vermont had gone Republican by a majority of twenty thousand. I wonder if all the Northern States will vote in the same way.<sup>31</sup> Almost everybody here thinks the Union will certainly be dissolved—indeed I have heard only one or two persons express a contrary opinion. The Texas Legislature, passed a resolution (unanimously) requesting the Governor to convene an extra session in case Fremont should be elected. This

<sup>30</sup> Lewis Maverick had been in Denison's school all the time since he began to teach in San Antonio and he gave him a high recommendation, but would not recommend Vermont to him as a place to attend college.—Denison to his mother, June 29, 1856, in Denison Papers, Library of Congress.

<sup>31</sup> In 1856 Vermont cast 10,569 votes for Buchanan and 39,561 for Fremont. Millard Fillmore received only 545 votes in the state. The five electoral votes of Vermont went to Fremont and Dayton, who received in all 114 electoral votes to 174 for Buchanan.—Edward Stanwood, *History of the Presidency*, I, 276.

is designed for the purpose of Secession. If disunion takes place, I think (for many reasons) Texas will become an independent Republic. If the Union should divide it will not take me long to start for the North, whether summer had come or not.

Where do you think of sending Alice? And when is Jim going to Hartford? I have heard so little of the children for the last few months that I am much in need of information. I wish you to tell me something of Eliza since she refuses to write to me.

You will give my love to all my brothers and sisters, and the people at the other house—especially to Grandmother. It is nearly school time or I would write more this morning—

Your affectionate Son

George S. Denison—

San Antonio Nov. 23rd—1856.

Dear Brother Jim—

We have just heard of the election of Buchanan. If I ever swore, I should now say "damn it," or something worse. Of course there were only two electoral tickets, seen in Texas—Buchanan's & Fillmore's. I voted the latter, of course. Did not Vermont cast a thundering vote for Fremont? And New York, Ohio, and almost all the rest.<sup>32</sup>

It is almost church time & I can write no more now. Will you not tell me what you are studying, & all about your situation, circumstances, & prospects. If you need money do not hesitate to tell me. Three or four days ago I had ten dollars which I intended to send you, but unexpectedly it became absolutely necessary to devote it to another purpose. Whenever I have anything you know you are always at liberty to regard it as your own.

Your affectionate Brother,

George S. Denison.

San Antonio—May 3rd—1857.

Dear Mother—

Accompanying this is a letter to Alice. You will please forward it to its destination, if it will reach her before she leaves school—

<sup>32</sup> The popular and electoral votes cast in the several states in the election of 1856 are given in tabulated form in Stanwood's *History of the Presidency*, I, 276.

I am safely back in San Antonio.<sup>33</sup> I came from Florida to Texas by sea, with negroes and furniture, while the rest of the party passed through New Orleans. I have bought the prettiest place in San Antonio,<sup>34</sup> situated on the river & comprising eight acres. In a few days I shall be living in a house of my own. At present we are staying with Uncle James & Aunt Elizabeth.

Cordelia is well &, I believe, glad she left Florida. Will you not write to her—& to me also—& to Aunt Elizabeth.

Love to all. You may expect another letter soon from

Your affectionate Son

George S. Denison

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San Antonio, June 21st, 1857.

My Dear Sister Eliza—

We are suffering much for want of rain—we live in a desert. The prospect of starvation stares people in the face, yet in a still worse condition are we mentally. Three or four weeks ago robberies & murders occurred every night—A dozen or fifteen men and women were killed for money in a few weeks—A Vigilance Committee was formed—& three weeks ago a great fight occurred at noonday in the streets, in which five men were killed. Since then ten or a dozen have been hung & a great many bad men driven away. All these executions have been by the Committee. One man was hung day before yesterday, in the afternoon —just in the edge of town. People regard it as a matter of so little consequence, that it was hardly made a subject of remark. In truth & earnestness, I abhor this country, & everything about it.

Your affectionate Brother,

George S. Denison.

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San Antonio, Texas, July 10th—1857.

My Dear Mother—

You need not fear I shall do wrong in giving to my brothers and sisters. I understand that subject, as well as you, & probably better. If anything is supplied to my brothers & sisters, it will

<sup>33</sup> On October 3, 1855, he wrote his brother, James, that he had spent about \$30 repairing the church and could use it as long as desired for a schoolroom. On January 12, 1856, he wrote his sister, Eliza, that he owed his grandfather's estate \$750, but that he had earned more than enough to cancel that amount from his first year's teaching.—Denison Papers, Library of Congress.

<sup>34</sup> He paid \$6,000 for the place and in two days could have sold it for \$8,000.—Denison to his mother, May 17, 1857, Denison Papers, Library of Congress.

not be much (it had better not be much) and every precaution will be taken that the gift may be as beneficial as possible. One thing I *think* I am sure of—that none of my sisters shall throw away their youth & beauty & health (as Eliza did) by coming South to pay for their education. If they are to teach let them stay at the North where the profession is honorable and where they can make money enough.

I shall not write you much but defer all communication until I see you, of which humanly speaking, I am perfectly certain in about six weeks.

Your affectionate Son

George S. Denison

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San Antonio, Texas, August 2nd—1857.

My Dear Mother—

Without feeling any malice, I hope you will be greatly disappointed, when I tell you that I am not coming home immediately—Perhaps in a short time, I shall be able to pay you a visit, which I desire to do, above all other things, but at present, business makes it utterly impossible to leave. I have induced Uncle James to go North for me, & transact business that could not be deferred. He will also go to Royalton, and there attend to a matter of consequence to you & to myself. It is in relation to this particular thing that I write this letter.

Ever since leaving College, I have had one object in view, to accomplish which I would have done anything not dishonest nor disgraceful. That object was to provide some means for the education of my younger brothers and sisters, so that they might not run in debt, and so that the property at home might remain unimpaired in your hands, and for your support. My plan is as follows.

I shall direct Uncle Jim to deposit in the Bank at Royalton, subject to the order of Alice Denison, a sum sufficient to pay off her indebtedness to Mr. Jewett, and other expenses of her education, if there be any other. The amount necessary, Uncle J. will have to ascertain from Alice herself. I have asked her about it several times without receiving any definite answer. She, of course, must not indulge in any swell magnanimity about receiving this trifling favor. Then if she wishes to teach let her not come South of Mason & Dixon's line to do it.

Secondly—I wish to give to my two youngest brothers, Frank & Charley—the sum of Five Hundred Dollars *each, for their Collegiate education.* I wish to give to my four youngest sisters i. e. Lucy, Clara, Susan, & Fanny—the sum of Four Hundred Dollars to each one, for their education after leaving home. You see this is not designed to pay for the education of the boys and girls until they leave home—but of this I will speak again. Uncle Jim will place at the disposal of Uncle Dudley (to whom I will write) an amount sufficient for these purposes. Uncle Dudley will forward the money to Mr. Jameson who will receipt for it—invest it—take care of it—& pay it over to the children *as he thinks best*—so that if he thought best to pay any portion of it before they leave home, he could do so, but this I should not wish unless it was absolutely necessary. Should Mr. J. be unwilling or find it impossible to attend to this matter, it must then be intrusted to Uncle Dudley or some one else. Herewith enclosed you will find a letter to Mr. Jameson, which you will read, seal, & forward to him.

One condition, however, I shall insist upon, & wish it to be complied with strictly & honorably. Nothing but noncompliance therewith could make me regret, in the slightest degree, this step I have taken. The condition is—that no one must know of this matter, except four persons—namely, Mrs. E. S. Denison (I.E. yourself) Uncle Dudley—Mr. Jameson, & his wife Sister Eliza. Two of my reasons are, that I don't want the children themselves to know of it for any thing in the world, until they need the money—Secondly—I don't want to be annoyed & disgusted by being thanked & praised for doing what is only a pleasure & a duty.

Uncle James will be in Royalton, I think, in about three weeks from date. I hope to come myself soon.

Your affectionate Son—

George S. Denison.

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San Antonio Dec 12th 1860

My Dear Mother—

I wrote you a short note announcing my return to this place & since that time I have been unwell, & too busy to write you at length. I start for Florida this evening & the first opportunity

I get, I will write to you a long letter of my experiences & prospects. I am going to try to close up the Estate business as soon as possible. I have not heard from home for a long time—won't you write to me or have some body else, as soon as this letter reaches you—& direct to Pensacola—If you write immediately the letter will reach me there.

These are awful times throughout the South—business stagnant & no money. Everybody is waiting to see whether there will be disunion, & consequently, war—or the existing trouble will be settled. There are many Union men here, but undoubtedly the majority in this & the other Gulf States, are in favor of disunion unless they can obtain such concessions and "guarantees for their rights" (their own language) as will satisfy them. I am afraid general ruin is impending.

I am perfectly well now as is every body else in whom you are interested. I want to know something about my boy<sup>35</sup> and the rest of you all. Some of you may expect letters from me as soon as an opportunity for writing presents itself.

Whenever you want money for on Willie's account, do not hesitate to say so. I shall make it my only object to secure Willie's interest and get it in a safe place as soon as possible.<sup>36</sup>

I haven't time to write more now. Give my love to all—

Your Affectionate Son—

George S. Denison—

Pensacola, Florida—Dec. 24th 1860.

My Dear Aunt—

I arrived here this morning about two o'clock safe and sound, having been eleven days on the route, when it ought to have been done in six, but fate seems to be against me all the time, & when-

<sup>35</sup> His wife died on January 16, 1858. (E. A. Denison to Rachel Denison, January 22, 1858, in Denison Papers, Library of Congress; George Denison to James Denison, February 19, 1858. *Ibid.*) His wife's three little girls were sent to Florida to her people. (*Ibid.*) The following year his mother took his boy into her home. He went through school, including the University of Vermont, but his lungs became affected and in 1880 or 1881 he went to Colorado where he purchased a cattle ranch, but he died in Washington in December, 1886, of tuberculosis. This son had been born on December 26, 1857.—Denison to his mother, January 5, 1858, in Denison Papers, Library of Congress.

<sup>36</sup> On November 24, 1858, he was granted his license to practice law in Texas, but he was very busy trying to settle up his wife's estate in Florida, look after his own business in Texas, and make a visit home in the early summer of 1859. (License to practice law, November 24, 1858; Denison to his mother, January 1, 1859; Denison to James Denison, February 5, 1859; Denison to his mother, July 18, 1859; all in Denison Papers, Library of Congress.) After the death of his wife Denison rented his house to Captain Givens of the army and moved into a small rented house near that of his uncle. Here lived his baby and nurse with three servants. Denison slept in his office, and he and his servants all boarded with his uncle. He also hired two servants to Captain Givens.—Denison to Mrs. Eliza S. Denison, October 5, 1858, in *Ibid.*

ever there was an opportunity for a boat to be behind hand it was sure to avail itself of the privilege. I was put back two days in Galveston & one in N.O. on that account—the boat in each instance having run aground and did not get in. Political excitement is high everywhere, & the secession party are carrying things with a high hand. I was in New Orleans the morning the news arrived of the secession of South Carolina and such a row I never witnessed before. One would have thought the Messiah had come *surely*—and that much-imposed-upon & suffering state received sufficient glorification to last it sometime. The cannon were firing almost all day long—speeches were made that caused the orators to perspire freely—& the Pelican flag (a new institution & device) was raised amid much rejoicing. It is easier traveling from Blakley to Pensacola than it used to be, because we come part of the way by railroad now—& we get here at one o'clock in the night instead of seven o'clock in the morning. But speaking of excitement, there is nothing in N.O. to compare with Pensacola—People here are up in arms almost and talk seriously (& I might add) constantly about attacking the Navy Yard and taking possession of the Government property there. They are promised the assistance of Ten Thousand men from Alabama, if necessary. For all that Pensacola elected by a large majority, Union men to the State Convention. The balance of the State, I understand, have mostly elected secessionists, & the Union has gone to H—Hades.

Good Bye

G. S. Denison

P.S. This State goes out of the Union on the fourth of January before twelve o'clock certainly—How in the world I can get letters home then I don't see. Don't forget about writing.

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Pensacola Florida Dec. 25th 1860.

To James Denison—  
My Dear Brother Jim—

By this time you have received my short letter written in Galveston. I arrived here yesterday after an unusually tedious journey—right through those parts of the country where the political excitement is highest. There are a great many Union men but they are greatly outnumbered by their opponents—or if that

is not the case—at least they seem to be so. The secessionists make all the fuss do all the talking & have a perfect organization—while the conservative men are far behind in all these respects. The secessionists have already carried the day in South Carolina, Mississippi & Florida, & will do the same in Georgia, Alabama & Texas. Louisiana is doubtful, but I think will follow the others from the necessities of her position. At such a crisis it is very unfortunate that we have such a damned old granny for President. His policy seems to be, "Please don't hurt me & you may do whatever else you wish". Oh! if we just had Gen. Jackson or some *man* for President now, wouldn't things be different? I think complete and entire disunion is certain, inevitable and already a fact accomplished without any possibility of compromise or reconciliation. This State will certainly secede on the 4th of January. I have not seen the glorious Stars and Stripes since leaving San Antonio—there plenty of them are flying—On the whole route there were Lone Stars (in Texas) Pelican flags (in Louisiana) Palmetto flags and other delightful things. What a happy man Douglas must be! I think probably Texas, if she goes out at all, will resume and retain her original independence. If the State does not stick to the Union, all the Union men & many others, will be in favor of this plan—& then if there is to be a civil war (which I think almost inevitable) Texas will try to keep out of it & become greater & more prosperous than ever before.

Excuse my saying so much about politics—the excitement here is intense & I have heard nothing else for the last four weeks—in fact since returning from Mexico. My foreign travel was in some respects, very pleasant, and very improving. Mexico is a most interesting country, with the finest climate, the richest mines, the worst government & the meanest people, in the world. Pecuniarily, the trip was most profitable—in all other respects (especially in experience) it was emphatically so.

I am here on business & so far have got along better than was anticipated. One of Willie's half sisters died, you know about a year ago, & by a late decision of the Supreme Court he will be entitled to a portion of her estate. I suppose his share will not be less than Twenty Thousand Dollars, & this is in addition to what was left him by his mother's will. I am here in great part on his account & have ascertained this since coming. I cannot refrain from congratulating you again upon your successful efforts for the perpetration of the glorious name of Denison.

What is to be the little individual's name? & how does he look?— Give my best and kindest love to sister Lizzie—to whom may her son always be an honor and source of honorable pride. I am going to try to come home this summer but cannot tell whether it can be accomplished—Good bye—and may God bless & prosper you always—

Your Loving Brother—

George S. Denison

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Pensacola Fla. Feb 9th 1861.

Dear Mother—

All mails to Pensacola were stopped by U. S. Government two weeks ago—& since then I have rec'd no letters. Probably soon all mails will be stopped in the South, & I can no longer write to you for some time. I want to home this summer but think it impossible for money is scarce & times hard—but though you can neither see nor (perhaps) hear from me, you may be sure I shall not cease to love & think of you & of all at home— & shall be with you as soon as is expedient. I don't know how I shall send this letter but will find some way. I am going back to San Antonio in about two weeks—Love to all—

Excuse my brevity for I am in haste—

Your ever loving Son—

George S. Denison.

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San Antonio, Texas, "United States of America" March 16th 1861.

My Dear Uncle [D. C. Denison]

Your letter I found in the Post Office on my arrival from Florida four days ago. Luckily the "Chivalry" did not think it worth while to open it, as is often done with private correspondence nowadays in this honorable land. At any rate if they had opened it they would have got a dose of patriotism such as might have got you into trouble if within reach. The great idea of "Pickens & stealings" controls the present despots of the country, and they have carried into practice their convictions of duty—much to the advantage of their pockets.

I have had, perhaps, as good an opportunity to judge of present affairs as any man in the country—having been in the

States of Louisiana, Ala. Texas, Florida—& having been present near by Fort Pickens during all the troubles there & daily seen men from all parts of the country & have been intimate with some leading secessionists & I have formed my opinion without prejudice & only with a desire to get at the truth—& I want to proclaim everywhere that a more wicked and disastrous humbug than secession never sprang from the minds of fiends. I cannot in a dozen letters give you any just appreciation of the hellish acts by which it has been accomplished. Trickery—Stratagem—lies—threats—intimidation—false representation of all kinds—the press bought up or intimidated—secret armed societies formed—Northern papers prohibited—usurpation of power whenever possible—and every villainous art & violent act that can be suggested by the imagination of bad men. The result was that a *ferocious* minority controlled everything. They told the people that “secession was necessary to show we were in earnest & then we would get *our rights*” (a favorite expression) “then we would be united again—but just as soon as secession took place, they said “you can’t go back & we never intended you should”. They said “Your government of the U.S. can’t protect you for they are weak & moneyless”, & this last argument was true, for was not James Buchanan, that fool or traitor, the president & leagued with traitors. I believe if the people of each of the seceded states were today allowed a fair vote, every one would vote for Union by overwhelming majorities except perhaps that little military despotism South Carolina. The reaction has already commenced. This city went for Union notwithstanding stuffed ballot boxes, by about 30 majority—because a few men were bold enough to advocate the right at the risk of being called abolitionists. There is no traitor’s blood in my veins—it don’t belong to the breed—and I say every where what I think, & they haven’t hanged me yet. Will heaven permit such wrong & never punish them? I think not. We are all deserted & betrayed by the Government that ought to have protected us, else it never could have happened. The commander of this department—Gen. Twiggs,<sup>37</sup> played into their hands, gave information of everything

<sup>37</sup> David Emanuel Twiggs of Georgia became captain on March 12, 1812; major on September 21, 1814; was honorably discharged on June 15, 1815; was reinstated as captain on December 7, 1815, with brevet as major from September 21, 1814; and major on May 14, 1825. He became lieutenant-colonel on July 15, 1831; colonel on June 8, 1836; brigadier-general on June 30, 1846; brevet major-general on September 23, 1846, for gallantry and meritorious conduct in several conflicts at Monterey, Mexico; and received by resolution of Congress on March 2, 1847, the presentation of a sword in testimony of the high opinion entertained by Congress of his gallantry and good conduct in storming Monterey. He was dismissed on March 1, 1861; was made a major-general in the Confederate army in 1861; but he died on July 15, 1862.—Francis B. Heitman, *Officers of the United States Army*, 976.

—removed all the soldiers from here but one company & so let (or rather helped) the Texans steal \$1,400,000 worth of property, besides agreeing & ordering that all the troops should leave the Country. What could officers & soldiers do when betrayed by their General. He has been struck from the rolls as "traitor & coward" & served him right. The officers & men are all brave & loyal. Capt. King<sup>ss</sup> when Twiggs was going to order him to give up his arms buckled on his sword & said he "would die with his men first" & his men (80 in number) wanted him to lead them against the Texas army of 1500 men, who had them cooped up in the barracks (by Twiggs connivance). Capt. Hill<sup>st</sup> on the Rio Grande when called on to surrender by 800 Texans, told them to go to Hell & if they repeated the proposition he would have them arrested as traitors. Capt French<sup>to</sup> said, before he would obey Twiggs order to surrender his battery of Flying Artillery, he would fight his way through Texas with his company & he could have done it. All the soldiers are going away however, & it is the worst thing that ever happened to Western Texas.

What is already the result of this Secession business. Hundreds of Indians are scouring the country killing and plundering. Yesterday they drove off all the stock in the whole County (county of Atascosa) thirty miles from here, & they will soon be on all sides of the City. No man has a cent of money. Thousands who thought themselves rich are reduced to poverty. Neither land or any other property is worth any thing. Six months ago I might have closed up my affairs, paid my debts & had five or six Thousand Dollars Cash to commence on. Now I have nothing & shall be lucky to pay debts. I think I shall leave this Country before long and commence at the foot of the ladder somewhere else. By the way I have entirely settled my Kinney indebtedness to Mrs. Love —It cost me about \$600—cheap experience at that!

<sup>ss</sup> John Haskell King of Michigan became second lieutenant, December 2, 1837; first lieutenant, March 2, 1839; captain, October 31, 1846; major, May 14, 1861; brigadier-general of volunteers, November 29, 1863; honorably mustered out of volunteer service, January 15, 1866; was made lieutenant-colonel, June 1, 1863; colonel, July 30, 1865; retired, February 20, 1882; was brevetted with several ranks during the war; and died, April 7, 1888.—Heitman, *op. cit.*, 599.

<sup>st</sup> Bennett Haskin Hill of the District of Columbia graduated at West Point; became a cadet, July 1, 1833; second lieutenant, July 1, 1837; first lieutenant, July 18, 1838; captain, January 12, 1848; major, August 28, 1861; lieutenant-colonel, August 1, 1863; retired, December 15, 1870; was brevetted colonel and brigadier-general, January 31, 1865; and died on March 24, 1886.—Heitman, *op. cit.*, 529.

<sup>to</sup> William Henry French of Maryland and the District of Columbia graduated at West Point and became a cadet, July 1, 1833; first lieutenant, July 9, 1838; captain, September 22, 1848; major, October 26, 1861; lieutenant-colonel, February 8, 1864; colonel, July 2, 1877; brigadier-general of volunteers, November 29, 1862; honorably mustered out of volunteer service, May 6, 1864; received many brevet letters for gallant conduct in the Mexican and Civil wars; retired, July 1, 1880; and died May 20, 1881.—Heitman, *op. cit.*, 476.

Excuse mistakes for I haven't time to look over the letter—I haven't had a dollar since I got back from Florida & don't expect to any more but that don't worry me much.

Love to all. I think all our troubles will be settled & the Union be established stronger than ever—provided prudence & Wisdom guide the Government at Washington

Your Loyal Nephew

George S. Denison

All are well here as usual.

I send you a secession pamphlet as a specimen Very weak but suited to the times—Also a Union paper whose editor could not be scared almost the only one in Texas.

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San Antonio Texas, March 19th 1861.

My Dear Sister Eliza—

Mother writes that you will spend the summer in Vermont & of course wishes me there—not more, however, than I wish myself there. I am going to leave this unfortunate country as soon as I can honorably do so, which probably will be next Fall, & and go to some place where it will be possible to reach home without the trouble and expense sufficient for a trip to Europe. I am a poor man now on account of the troubles, though six months ago I could have closed up business and retired with what in the North would have been a competence. Don't think however that it troubles me—My case is not one hundredth part so bad as that of thousands of hard working honest men—& of others who a few months ago thought themselves wealthy. I look to the North west for a future home, & will risk myself to get along well enough there.

In one letter I cannot give you any idea of the disastrous condition of things prevailing throughout the seceded States & more especially in Western Texas. Business dead—no money—no industry—no credit—no constitutional government—& no prospect of better things. On the contrary property is worth little or nothing—the Indians are ravaging the country up to within a few miles of San Antonio—the convention has usurped all authority, supported by the secret military society of the "Knights of the Golden Circle"—the brave & patriotic old Governor Sam

Houston is deposed—a reign of terror exists everywhere, and we live under a military despotism, brought about and controlled by a ferocious *minority*. I am sick of it, & unless the people are allowed to have some voice in the matter, there must & will come revolution eventually.

Your affectionate Brother

George.

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San Antonio, March 29th, 1861.

My Dear Mother—

It is sometime since I have written to you, & do not now because I have anything to say. The whole country is so agitated by political convulsions & by the certain ruin impending on all of us, that no other subject interests or occupies people's minds. You can have no idea of the utter prostration of business & property. In this town so flourishing a little time ago, there is no industry, no business & no money. The troops in all Western Texas, forced by the arrangement of their General the traitor Twiggs, are leaving the State and almost every day companies pass through town on their way to the Coast. They march through town with U. S. flag flying & playing Yankee Doodle defiant in their bearing & acting for a fight. Every attempt has been made to induce desertions & get the officers and men in the *Southern Army*, but without success except in a few instances. There are thousands of Union men here but overawed by a standing army of Knights of the Golden Circle. I think an overwhelming majority of the state are in favor of Union but the Government is usurped by their opponents & a military despotism prevails. If matters are not accommodated I think there will be a revolution. Probably it will soon be dangerous to write what I am now doing & perhaps it is now. There is no security in the mails. The Indians are ravaging the whole Country murdering people & destroying property—because the troops have left & their place is unsupplied by others. They have been within a few miles of San Antonio. Property is worth nothing or very little & the future promises nothing. If my debts were paid I should not be worth more than enough to get home with.

As soon as possible or as soon as I can honorably & honestly do so I shall shake the dust off my feet & repair to some land

where at least a semblance of law and liberty still exists. I cannot leave before fall unfortunately, or I would be in Vermont in less than four weeks. I have made up my mind conclusively, I think, to commence the world over again in some white men's country & the Northwest or Vermont will probably be the place. I hope & am inclined to believe that the whole matter will be settled but not before serious trouble, and the ruin of thousands—for that has been accomplished already. I have not had a dollar since returning from Florida except a little I borrowed.

Uncle Martin's expression about the "God-forsaken-country" was not extravagant. Love to all—& I shall answer all their letters soon.

Your Loving Son—  
George—

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San Antonio, Texas, March 29th, 1861.

My Dear Brother Jimmy—

You must think me very unkind in neglecting you so long—but the truth is I haven't had any disposition to write letters or do any thing else for the last month but invoke—what they deserve—upon traitors, rebels and secessionists, who have perpetrated such monstrous acts of wickedness, injustice and ruin. Besides many of the letters written to friends by me, have *mis-carried* probably. It is not inconsistent, you know with the spirit of the very cream of Chivalry to pilfer from Uncle Sam's Post Office.

I thank you my dear brother, for doing me the honor of naming your child after me. It is really the highest, & most touching compliment I ever received—but so undeserved. The best wishes I can offer for him are, that he may become a far better man, more able & more successful man than the one after whom he is named. Before another Christmas rolls around I expect to see him and my dear sister, his mother, and yourself also. Give my best love to Sister Lizzie and kiss the baby for me as many times as you like. I would send him a silver cup or some-thing of that kind if—if there were any money in this God-forsaken country.

I cannot tell you much about politics because the subject fairly started, I should want to write all day. I send you papers

containing grand old Sam Houston's address,<sup>41</sup> &c. They are now trying to make him out a traitor in order to destroy his reputation in the United States, but that is only one of a thousand lies. We have no constitutional law & no liberty but are living under the worst kind of military despotism brought about & controlled by a ferocious minority. Three fourths of the white men (not Mexicans) in this part of the country are for the Union & a large majority in the whole State—notwithstanding the Texas vote on secession,<sup>42</sup> for thousands were persuaded to vote for secession for the purpose of reconstruction—thousands did not vote at all—and stratagem, intimidation, ballot-box-stuffing, lies, deception, threats and all the arts of desperadoes were employed—& I think the opinions of many have changed now that they have become cool & have time to reflect. "I voted for secession & am sorry for it", is an expression heard till I am tired of it. That infernal traitor Twiggs ruined the U. S. interests in Western Texas, but the army officers & soldiers are loyal, with only a very few exceptions, & would die sooner than be suspected of imitating Twiggs, who was commander in chief had great power, you know, & fixed things so that they cannot be remedied. The U. S. Army officers are noble men. All the troops (Companies) on their way to the Coast march through town with the Stars & Stripes—playing Yankee Doodle—defiant—& fierce for a fight.

The Indians are ravaging the whole Country—business is dead—property almost valueless & ruin staring all in the face. The convention (elected by only one sixth or eighth of the people) usurped all authority—are supported by the K's. G.C.—& have deposed the brave old Governor—without letting the people have a voice in the matter. If matters are not fixed up I think there will eventually be a revolution here.

Six months ago I could have closed up my affairs and retired with a moderate competence. Now after paying my debts I shall

<sup>41</sup> The convention in Texas was revolutionary, for it was called by sixty-one individuals and not by the constitutional authority. Nearly half of the 122 counties held no elections and in others an absurdly small minority voted. Only about three-fourths of the usual state vote was cast, and there were 11,235 votes against secession and 46,029 in favor of it. The vote in the convention was 166 to 7.—John W. Burgess, *The Civil War and the Constitution*, I, 88, 121; French Ensor Chadwick, *Causes of the Civil War*, 147

<sup>42</sup> Sam Houston refused to permit the legislature to call a convention. The radical secessionists were furious and it was even predicted that, "Some Texas Brutus will arise to rid his country of this hoary-headed incubus that stands between the people and their sovereign will."—Burgess, *The Civil War and the Constitution*, I, 88, 121.

not have a cent in the world. I am going to leave this country next Fall, which is as soon as I can do it honorably, go North & commence life at the foot of the ladder again.

Your loving Brother,—

George S. Denison

Royalton, April 28th 62

Dear Sister & Brother—

I have not had time to write to you & have not time now. People here have kept me so busy that I have not had any leisure. There was a public performance in the meeting house last Saturday in which I took the principal part & talked about three hours. I have not been so poor (pecuniarily) for many years as now & I never was happier in my life. If Guven Benedict published anything from me,<sup>43</sup> I will tell him to send you the paper. From the enclosed you will be able to see how I look now.

I was two months coming home & it was a dangerous & difficult journey.<sup>44</sup> I have been in Richmond & all through the South & seen all the Rebel "fixins" I walked nearly 200 miles through East Tennessee over the mountains to Kentucky.

Perhaps I will give you a full account hereafter of all these adventures.

<sup>43</sup> His experiences in the South were published in the *Burlington Daily Free Press*, of May 2, 3, 7, 1862, with his name omitted and three stars inserted instead thereof.—Denison Papers, Library of Congress.

<sup>44</sup> Denison took every precaution to facilitate his trip home from Texas. The following is his permission to pass through the country:

"Adjutant's Office

New Orleans Mar 3 1862

Pass Geo Dennison from New Orleans to Richmond Va Via Jackson Rail Road

By order of Thos O Moore

Gov & Com in Chief

Thos E Adams

For Adj't Gen'l'

"Richmond March 12 1862

To all to whom it may concern—Mr George S Denison is a proper person to be permitted to pass through our military lines on his return home to San Antonio Texas

Respectfully

Thos Wilcox

Member of C. S. Congress from Texas

Mr Wilcox is a representative in Congress from Texas, and his endorsement is an ample guarantee of the loyalty of any gentleman.

James P. Holcombe."<sup>45</sup>

<sup>45</sup> James Philemon Holcombe was born in Virginia, September 25, 1820; was educated at Yale and the University of Virginia; was a member of the Virginia Secession Convention, 1861; a member of the Confederate Congress, 1861-1863; a member of the Confederate Committee to Canada, 1863-1865; was principal of the Bellevue, Virginia, high school; was a fine scholar, an eloquent orator, and an author; was a member of the Virginia Historical Society; and frequently contributed to the leading periodicals of his time. He died in Virginia, August 25, 1873.—*National Cyclopaedia of American Biography*, III, 312.

Please give my best love to Father Hib & Cousin Jam—I mean Mr. & Mrs. Hibbard—& also to James Noble & Norman Williams.

I go to Washington in a few days with the intention if possible of going into the regular army.

Your loving Brother  
George S. Denison

To Mr. & Mrs. J. A. Jameson.

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New York City—May 18th, 1862.

Dear Uncle [D. C. Denison]

You can do what you please with the money I put in your hands. If mother should be in want, supply her from it.

In case of any accident to myself, I wish mother to have all my funds which are, or may hereafter be in your hands, as Willie will probably get something at least from *his* mother's estate. In view of my expected journey I think best to express this desire.

I shall ascertain tomorrow whether the steamship stops at Port Royal—& if not, I shall send you the two orders on Judge Hewitt (one for \$350 & the other \$75) endorsed in blank so that if he sends the money you can receive it and give him the orders. I wrote to him a few weeks ago & shall write again. His address is Major I. L. Hewitt<sup>46</sup>—Port Royal—at least I suppose he is still there. If the vessel is to stop there I shall take the receipts with me, of course. This will not be mailed until I have inquired about the vessel's course.

I expect to be very busy tomorrow & next day & shall not write to you again before leaving. If you will please write to me—direct to New Orleans.

Love to all—Your Affectionate Nephew—George S. Denison P. S. Tell mother that perhaps she will receive some money (about \$100) about one hundred Dollars from Capt T. R. Bliss—I lent it to him coming on from Texas. He lives in Rhode Island, & I told him to send it to Mrs. E. S. Denison of Royalton, Vt. If she does not want to use it she can give it into your care. G.S.D.

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<sup>46</sup> Ira L. Hewitt of New York and Texas became additional paymaster of volunteers, September 5, 1861, and died on October 20, 1862.—Heitman, *Officers of the United States Army*, 527.

Tuesday Morning May 20th—

Dear Uncle Dud—No U.S. vessel leaves on Wednesday as was expected, & I do not now know when I shall leave. On the first steamer certainly, which may leave in two or three days & may leave in a week according to orders to be received from Headquarters. I am quite busy preparing—getting information &c. & progress satisfactorily. I have read my instructions & find that I am "Special Agent from the Treasury Department, and Acting Collector of Customs," (for New Orleans) That is my official signature. I take out five or six experts from the N. Y. Custom House, including my Deputy Collector—

I will write you again before leaving—& shall retain those orders (on Hewitt) for the next letter—Yours &c G. S. Denison.

—  
New York City May 18th, 1862

To D. C. Denison Esq.—

My Dear Uncle—

I arrived in Washington Wednesday morning & spent part of that day visiting in company with Jimmy, the Capitol is a wonderful building, & when Congress is in session it is well worth going to Washington merely to see the two houses of Congress & the building they occupy. I saw Mr. Collamer but had no time to present your letter to Mr. Morril.

On Thursday I called on Mr. Chase<sup>47</sup> at the Treasury building. He received me very kindly, & at once said I could not get into the army, but he had use for me. He asked me to come to his house & stay while in Washington, which I declined on account of wishing to stay with my brother. I wrote (at his request) an account of my life for the last eight years & gave it to him Friday Morning. All day Friday was occupied by me at the Treasury Building & yesterday I came to New York.

I am going to New Orleans. Not having received my letter of instructions (which I am to get from Mr. Barney, Collector of this Port) I am unable to tell you my position exactly, but I

<sup>47</sup> Salmon Portland Chase (January 13, 1808-May 7, 1873) was educated at Dartmouth; taught school; studied law; and practiced in Cincinnati, Ohio. He was a strong anti-slavery man, a Whig and a Free Soil leader. He served in the Senate from March 4, 1849, to March 3, 1855. He was elected governor of Ohio in 1855 on the Free Soil ticket and then re-elected to the same office in 1857 on the Republican ticket. He entered the Senate on March 4, 1861, but was appointed Secretary of the Treasury two days later, which position he held until July 1, 1864. He had served on the Peace Convention of 1861, and on December 6, 1864, he was made Chief Justice of the United States Supreme Court. He was a member of the National Peace Convention in 1868; presided at the impeachment trial of Andrew Johnson; and died in New York on May 7, 1873.—Appleton's *Cyclopaedia of American Biography*, I, 585-588.

understand it is to be "Special Agent & Temporary Collector" at the port of New Orleans. Mr. Charles Anderson (The General's<sup>48</sup> Brother, from Texas) was designed for the position, but he was in London, & Mr. Chase sends me. It is a very responsible place, & it is not often the Government sends so young a man as myself on so important business, but I shall do as well as I can. I leave on the Government Steamer on Wednesday the 21st inst. & I expect to spend tomorrow & next day at the Custom House here acquiring information. I suppose the government soon will decide on a permanent collector of that port—which they have not yet done. I only told mother where I am going. For good reasons I am not expected to make public what I have here told you, & you will therefore put this letter in the fire & say nothing of its contents. I am inclined to think my position is equally responsible as that of permanent collector & probably more so. The special agency is probably important besides the duties of temporary collector.

New Orleans is an undesirable place to spend the Summer in, on account of the danger of Yellow Fever—but the epidemic may not come—or I may get through before it comes—or if possible I will leave until it is over, if it should come. From two to ten per cent of those who have the yellow fever die from it, but many never have it at all, however much exposed. This is a cheerful subject, but it will not be worthwhile to mention to the family.

Love to Aunt Eunice & Aunt Rachel & the children, & Henry—

Your Affectionate Nephew

George S. Denison

P. S. Please pay Mr. Russel of Woodstock, Four Dollars (\$4) for mending my watch. I forgot to tell you or to leave the money. Take it out of what is in your hands.

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New York, Sunday, May 25th, 1862.

My Dear Uncle—[D. C. Denison]

I have been very busy for the past week, and having completed all arrangements, start for New Orleans tomorrow at twelve o'clock. I take out four or five persons from this Custom House,

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<sup>48</sup> Charles D. Anderson of South Carolina and Tennessee was a West Point graduate; became a cadet on September 1, 1846; retained this position until November 13, 1848; became second lieutenant of the Fourth Artillery, June 27, 1856; first lieutenant, July 6, 1859; resigned, April 1, 1861; was colonel of the Twenty-first Alabama infantry and brigadier-general of the Confederate States of America, 1861-1865.—Heitman, *Officers of the United States Army*, 163.

including a Deputy Collector. Do you know that I have received the first *civil* appointment, made by the Government for Secessia, & probably to the most responsible position in their gift. When a permanent collector is to be appointed, I cannot tell—perhaps not for a long time—& some of my friends think none other (than myself) will be appointed. But whether for a long or short time, I shall do the best I can, & at least act honestly. My "Splurge" was copied from the Free Press into some of the New York papers, as I am informed.

I understand Major Hewitt is in New Orleans, having been assigned to duty there—and therefore I shall take with me those *orders on him*, of which I spoke to you. Should he not be there, I shall probably send them to you. Love to all—

Your Affectionate Nephew

George S. Denison.

Mr. E. S. Hewitt is here & is now in my room. He found me one half hour ago. He wrote you today enquiring for me. He escaped from San Antonio through Mexico, & will go to New Orleans with me to meet there his brother Major Hewitt. You need not answer his letter. He did not tell you he was from Texas, for fear you might be alarmed about me, for he did not know that I had reached home.

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New York May 25th 1862

My Dear Mother—

I did not go Wednesday but start tomorrow (Monday) on the Steamer Blackstone. We shall be about seven days making the trip to New Orleans. If I had known the delay was to be so great, I would have informed you so that you could have written. I have not got anything to say now in particular except what was said in my letter written one week ago today, so you can read that again, & imagine it is all written here a second time. What will my rebellious friends in Texas think when they learn of my appointment? I know what they will say. They will employ the words "damn" & "traitor", & make suggestions about ropes. I

have seen parson Brownlow<sup>49</sup> here several times, but had no opportunity to speak to him. He is having an immense influence wherever he goes.

I went to hear a sermon this morning & who do you think preached it. None other than Henry Ward Beecher,<sup>50</sup> the Great. He is the biggest man I ever heard preach.

When I get down to New Orleans among swamps alligators & orange groves, it will be very pleasant to receive letters from home, & especially from one's mother.

Your loving Son—

George S. Denison.

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New York, Sunday, May 25th, 1862.

Dear Aunt Rachel—

I am unwilling to leave on my journey without reminding you by a short letter, that you are not overlooked or forgotten by me. It is two weeks tomorrow since I left home, & tomorrow "my bark is on the sea". Speaking of barks makes me think of the great National Dog show of Barnum's which I visited yesterday. What a "power" of sights and wondrous things are to be seen in this great world of New York! I am more & more astonished every time I come here. I saw today twelve hundred policemen in their splendid uniforms marching in military array at the funeral of one of their former comrades, who was a captain in the army & Killed at the battle of West Point.

Mr. Chase is just the man you thought he was. Without doubt he is the ablest man in the Cabinet except perhaps Mr. Seward.<sup>51</sup> I never saw a man work harder than he does—from

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<sup>49</sup> William Gannaway Brownlow was born in Virginia, August 29, 1805, and died in Tennessee, April 29, 1877. He earned his education as a carpenter; became a Methodist minister in 1826; became editor of the *Knoxville Whig* in 1838; was called the "Fighting Parson"; favored slavery, but was very much opposed to secession and was for the Union; was forced to quit editing his paper on October 24, 1861; escaped the soldiers sent to kill him; arrested in Knoxville as a traitor, December 6, 1861; was released, but guarded in his house; and was sent to the Union headquarters at Nashville, March 3, 1862. After this time he toured the North speaking to large audiences. He returned to Tennessee in 1864; was elected governor in 1865 and served two terms, but resigned in 1869 to go to the Senate where he remained until 1875. He then bought control of the *Knoxville Whig* which he edited until his death. He was a writer of radical books.—Appleton's *Cyclopaedia of American Biography*, I, 415-416.

<sup>50</sup> Henry Ward Beecher (June 24, 1813-March 8, 1887) preached in the Presbyterian churches of the Middle West until 1847, and then was called to the Plymouth Presbyterian church in New York City. He was one of America's most outstanding preachers.—Appleton's *Cyclopaedia of American Biography*, I, 219-220.

<sup>51</sup> William Henry Seward (May 16, 1801-October 16, 1872) was in the state senate of New York, 1830-1834; governor of New York, 1838-1842; elected to the Senate as a Whig in 1849, and as a Republican in 1855, serving from March 4, 1849, to March 3, 1861. He was Secretary of State from March 5, 1861, to March 3, 1869. He settled the Alabama Claims and purchased Alaska besides handling many other important matters.—*Biographical Directory of the American Congress*, 1509.

morning till late at night—& he makes all the subordinate officers of his department do their full duty, which was far from being the case under Mr. Buchanan's administration. He was very kind to me. When I get rich I intend to take you all down to Washington and show you the wonders of that wonderful place. The Capitol is the grandest thing in the world & all Americans ought to see it once at least. That magnificent cage is much more interesting than the animals it contains.

Your loving Nephew—

George S. Denison.

New Orleans La., June 10th 1862.

My Dear Mother—

The steamship "Ocean Queen" leaves this morning for New York & I have a few minutes to write to you. We arrived here Saturday at 5 o'clock P. M. after a passage rather unpleasant and I reported immediately to Gen. Butler,<sup>52</sup> of whom I will tell you a good deal in future letters. He is a great man & treats me with the greatest kindness. The day we arrived a man named Mumford, who pulled down the American flag from the Mint, was hanged on the very spot where the flag was raised. This was the flag hoisted by Commodore Farragut just after he took the City.

I thought three weeks ago I had seen what was worth seeing in America, but I never saw anything like what is here. I passed the great fleet composed of many ships of war & the thirty mortar boats. The City is full of soldiers, & a fellow gets a bayonet poked at him if he undertakes to move about after nightfall. I could write you many pages about things in general, & will when the next opportunity occurs. I took charge of one corner of the Custom House yesterday. The rest of it is occupied with soldiers, about Twelve Hundred being quartered in the building. I am Chief Cook and bottle-washer of the revenue department for the time, & have already received many applications for appointments. The

<sup>52</sup> Benjamin Franklin Butler (November 3, 1818-January 11, 1893) was admitted to the bar in 1840; elected to the Massachusetts house of representatives in 1853, and to the state senate in 1859; and was a member of the Democratic convention at Charleston in 1860. He became brigadier-general in the militia in 1861; major-general in the United States army after he occupied Baltimore; captured forts Hatteras and Clark on the coast of North Carolina, May 23, 1861; and returned to Massachusetts to recruit forces for the Gulf region. On May 1, 1862, after Farragut captured New Orleans, Butler took charge of the city. He was a man of great vigor. He served in Congress from 1869 to 1879, with the exception of the years 1875-1877; and was elected governor of Massachusetts in 1882.—Appleton's *Cyclopaedia of American Biography*, I, 477-478.

Union sentiment exists here (secretly) to a great extent, but will not be much manifested until Beauregard's army is dispersed—for fear of retribution from the secessionists. Gen. Butler told one man in the City, that in six months New Orleans should be a Union City or—a home of the Alligator.

The City is very healthy and residents here say there is every reason to believe that there will be no yellow fever this year. Enclosed are two Confederate Treasury notes—one for 5 & one for 10 dollars. These are the latest issues & the prettiest. I wish you to preserve them, as they will be grand curiosities by & by. It is against the law (Gen. Butler) to pass them in the City, but these two were given to me by an old banker who refused to take anything for them. I am very well & have been. Love to all & be sure to write to Jimmy & tell him I am well. Perhaps you had better send him this letter, as I have not time to write one directly to him. Direct your letters to Geo. S. Denison, Custom House New Orleans. Love to all—God bless you—Your Affectionate Son George.

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Custom House New Orleans June 12th/62.

Dear Mother—

I got into the Custom House Monday (today is Friday) & I have been hard at work ever since. I have never been so busy before & you must not expect long or very coherent letters for a time. I have got the machine to running, though it must be some time before everything works smoothly & well. I wrote you three days ago enclosing two Confederate Treasury notes—one for \$5 & one for \$10. I also sent at the same time a letter to Uncle Dudley containing a draft on Assistant Treasurer of the U. S. for \$350. This draft followed me from Royalton to Washington & thence here.

Send all letters that may arrive. Direct to Custom House, New Orleans, & write yourself if you please, & tell everybody else to write. I never was in better health in my life, & never felt more able to do business. I have rec'd at least 100 applications from Citizens of New Orleans, & require each applicant to take the oath of Allegiance, before the application can be received. I am staying at the Park Hotel now, but before long shall have rooms of my own with some gentlemen who are in Government

employ. Gen. Butler is a great man, & just the man for this place. I never saw such a man for business & for shrewdness in my life. He treats me with great kindness & Consideration. This is a splendid army here, & all conduct themselves with the most perfect order & propriety. They are mostly New England men you know. I saw a large number collected the other evening to take leave of their Chaplain, who goes North. It was a splendid sight to see several hundred soldiers singing New England Psalm tunes, & singing well. You wouldn't see that in the secesh army.

The city is very healthy & perfect order prevails everywhere. Love to all—My next letter will be to some other member of the family. Your Loving Son—George.

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Custom House New Orleans June 12th 1862.

My Dear Brother—

Your letter enclosing two or three others came safely to hand. I am very hard at work & never was more busy in my life. We have been in the Custom House since last Monday (Today is Friday) & have already got the machine in running order. A great deal is to be done & it will be sometime before everything runs smoothly. This Custom House has heretofore been managed by a set of scoundrels, but I am determined things shall henceforth be managed *honestly* at least. Thieves, swindlers and smugglers shall be suppressed, if it is in mortal power to accomplish it.

I could write you a long letter (if there was time) about matters & things here, which would be of interest. The strictest martial law prevails & you get a bayonet pointed at you at every corner at night, until you give an account of yourself. Gen. Butler is a great man, & just the one for the position. He is the smartest man I have seen in many a day, & to all except the rabid Secesh, his rule gives Satisfaction. The soldiers are the most quiet, orderly & gentlemanly, I have ever seen, & are splendid troops. The City is full of them. The man who pulled down the U. S. flag from the Mint (placed there by the Commodore<sup>53</sup> when the City was first occupied) was hung on the day of our arrival, & the gallows stood on close to the spot where the flag had been. I understand two more are to be hung next week. Every one

<sup>53</sup> David Glasgow Farragut (July 5, 1801-August 14, 1870) was born in Tennessee and died in New Hampshire. He received an appointment in the navy when he was nine and a half years of age; sailed for the Mediterranean in 1815; went South in 1861 to capture the Gulf ports; and the capture of New Orleans was the master event of his career.—Appleton's *Cyclopaedia of American Biography*, II, 412-419.

treats me with great kindness & Gen. Butler gives all the assistance in his power. Applications for office from citizens of N.O. pour in on me, none of which are rec'd unless accompanied by the oath of allegiance.

Dear Jimmy—I am very tired, or I would write more. The business of the day is closed, but I am going soon to attend a review to which I am invited. Love to Sister Lizzie & the little baby. Present my kindest regards to each member of Mr. Gallaudet's family & to himself. Write to me.

Your Affectionate Brother,

George.

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Custom House New Orleans June 20th 1862

Dear Mother—

A Steamer leaves immediately for New York. I have only time to say that I am well, prosperous & happy, & have more work to do than often falls to the lot of one man. Everything is going on well here, both in my own & all other departments.

Your Loving Son      George—

I sent you this morning a barrel of sugar. It will be forwarded from New York.

CITY INTELLIGENCER.

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*Flag Raising on the Custom House*—At 12 o'clock, precisely, yesterday, the United States revenue flag was raised on the northeast corner of the Customhouse, which we believe is the first flag of the kind that has been raised in the South since the establishment of the blockade. Col. H. W. Burge, 13th Connecticut, in order that the occasion might be properly celebrated, furnished a guard of honor under command of Lieut. Norman, Co. K, with drum corps, and Drum-Major J. Hadley, of Co. I. The flag was run up by Acting Collector G. S. Denison, Esq., and as it unfolded itself to the breeze, received a salute. There were present, on the top of the Customhouse, the officers of the customs and a number of invited guests. The ceremony was witnessed by quite a number of persons in the street below, who at the close of the ceremony, gave three cheers for the United States revenue flag.<sup>54</sup>

<sup>54</sup> A newspaper clipping from the *Daily True Delta*, June 19, 1862, and enclosed in the letter to his mother by Denison.

Custom House New Orleans July 6th 1862

Dear Jimmy—

I have not yet heard from you since arriving here, except by the letters forwarded to me from Washington, I have written you one short letter. I have no time to write long letters & suppose you do not expect me to write much. From early morning till night, I am at work, & you know one can't stand it in this climate as well as at the North. I can stand any thing except secession, & shall accomplish my mission with satisfaction to myself & probably to the higher authorities.

This is a great and glorious life. Here is all the splendor and display of military government, with the triumphant consciousness of occupying the great stronghold of rebellion. Here is excitement & industry & responsibility. There is such a mess of scoundrelism & rascality which has long ruled all this section of the country, that every important step made seems a benefit to humanity at large—because any change from the old, is an improvement. Gen. Butler is a great man, and acts with wisdom & justice. I do not think any other man could have selected who so well could have filled the position occupied by him.

There is a great deal of suffering here on account of want of food. There was a scarcity of food three or four weeks ago, which is becoming greater every day. Thousands of people in this city today are hungry & cannot obtain sufficient food. Well dressed men & women apply to the soldiers for bread for themselves & children. Yesterday a man of respectable appearance asked me for work. I was about to send him away (for ten times as many apply as can be employed) when he burst into tears, saying his children had had nothing to eat for nearly two days. I think he went home last night more satisfied.

The aristocratic scoundrels who have brought the middle and poorer classes to this condition take care of themselves, & take no interest in the suffering of their deluded followers. Why don't Congress pass a Confiscation law? Let the proceeds of the property of wealthy rebels feed the "poor white trash"—the middle & lower classes—who are our friends, or will readily become so. The aristocrats are implacable.

I suppose this will reach you at your Vermont home, but shall direct to Washington, as you may not leave there so soon as is expected.

Uncle Sam's Army here is magnificent. Such gentlemanly quiet & fine looking soldiers I have never seen before.

Dinner is ready. Excuse abruptness. I will write a more brotherly letter next time. God bless you & yours.

George.

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Custom House, New Orleans, Collector's Office

July 6th, 1862.

Dear Mother—

You probably feel, that you have received but little information about your hopeful son, since his arrival here. I have not had time to write you any but short letters. Immediately on arriving, at the Levee, I went in a carriage to the St. Charles Hotel, to report to Gen. Butler, & was received by him with great kindness, which he has not ceased to manifest towards me on all occasions. He took me in his carriage to the Custom House & showed the whole building, introducing me to the officers commanding the regiment (13th Conn.) then occupying the building. I was accompanied from New York by six subordinate officers from the N. Y. Custom House. We took possession of the building on Monday morning and in two or three days, were fairly at work. I stopped at the St. Charles but three or four days, and then went to the Park Street Hotel, where the accommodations were much better & expenses less. A week ago, I moved my traps into the Custom House, having got possession of a corner room, which is a beautiful parlor, very large & beautifully furnished. This is my private room to live & sleep in, & is the finest room in the whole building. The most attractive article of furniture (to visitors, not to me, of course) is a French plate glass mirror six or eight feet square. Here in this room, the political leaders of Louisiana, including Beauregard, Slidell Soulé &c, are supposed to have held their meetings & pulled the wires. Adjoining is a dining room, where our mess (4 Custom House & three army officers) take our meals. We have a fine cook (negro man) & a waiter, & fare sumptuously every day, without any trouble to ourselves, except to pay four or five dollars each per week. We can get rations from the commissary, and whatever else is wanted, can be obtained by us in the City. Thousands in this city are almost starving for food, & well dressed men and women beg

bread (frequently) from Uncle Sam's boys, to keep themselves & children from starving. The aristocratic leaders & originators of this wicked rebellion take care of themselves, & the poorer classes have to suffer. Among the hundreds of applications received by me, for office, are numbers who are suffering for the daily necessities of life.

The first thing I do in the morning is to take a shower bath—then breakfast—& then commence work at once, continuing until half past three P. M., when we are called to dinner. We have a fine & pleasant dinner, with wine &c. After dinner there is always something to do until night. The regimental band plays every night in the building thirty or forty yards from my outer door, & make splendid music. I spend the business hours in my office, which is in another part of the building from the room mentioned above. There is a regimental dress parade every day and martial music, drills &c are heard or seen almost all day long. It is an exciting, splendid & laborious life. I never before worked half so hard & it seems as nobody ever had more responsibility. Applicants for office are numerous and persistent. I have seized a large amount of property—have seized (& sent to New York) a French vessel—also a Mexican vessel and an American—had long correspondence with a Foreign consul—taken military possession of several large warehouses (in one of which was a rebel battle flag, which I will send you as my first prize) collected a large amount of lighthouse and other property—selected & appointed 30 or 40 officers—have in my hands about \$25,000 dollars already collected for duties—have arrested several men (or caused them to be) one of whom was sent to Fort Jackson—and have stirred things up with a long pole generally.

At the Park Hotel, the Acting Collector was serenaded by a regimental brass band. Some prominent Citizens gave Gen. Butler a magnificent dinner, whereat I represented the Treasury Department. I have free access to Gen. B's presence & see him almost every day. He is a great man. The Union feeling is coming out strong. I heard two thousand men the other night, gave three cheers for Abraham Lincoln, in front of St. Charles Hotel—three for Gen. Butler, three for the Union &c &c. Just think of cheering old Abe in New Orleans. I have received a letter from Charley—one from Lucy & one from Eliza. Please write to me—

Your Loving Son—George.

Custom House New Orleans, July 10th 1862.

To Hon. S. P. Chase  
Secretary of the Treasury—

Dear Sir—

I have received your letter of May 24th, concerning two negro women, daughters of a servant in your family.

Nothing can be done at present towards obtaining the information, you wish. There is but little communication between the city & country—& the country is under the control of the enemy.

I will do all I can, to obtain the desired information, & at as early a day as possible.

Your Obedient Servant

George S. Denison

P. S. The enclosed letter should have accompanied my former letter to you.

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Custom House, New Orleans, July 15th 1862.

My Dear Sister Eliza:

A letter from you reached me two or three days ago & I was very glad to get it. It takes a great while you know, for a letter to go from Chicago all around the Atlantic Coast to New Orleans, but that difficulty will be removed by and by. We seem to be away out of the world here, and receive no reliable intelligence of a private or public nature, until it has long been an old story with you. Just now, we are in great suspense about Gen. McClellan's<sup>55</sup> army around Richmond, and our latest news from New York is up to the 3rd Inst. The secessionists have been jubilant for several days, as can be seen by their smiling faces & insolent bearing, but yesterday & today they look gloomy again—so I suppose they have reasons, known to themselves alone, for believing our defeat is not so complete as they lately thought. Whatever disasters occur to the Government arms—whatever misfortunes this or that general may meet with—I hope & pray that the determination of the people of the loyal States, may not lose strength, & that as long as a man or a dollar left, the war

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<sup>55</sup> George B. McClellan (December 3, 1826-October 29, 1885) graduated at West Point; took part in the Mexican War; resigned from the army to become a railroad engineer; became very active in the first part of the Civil War; and soon became one of the most prominent commanders in the field. After Lincoln removed him from command he left the army. In 1864 he received 21 electoral votes to 212 for Lincoln, but he had 1,800,000 popular votes to 2,200,000 for Lincoln. After the close of the war he devoted his time to invention, building, and writing.—Appleton's *Cyclopaedia of American Biography*, IV, 79-84.

shall be prosecuted vigorously. How I hate secessionists, & most of all Mr. Jeff Davis, who is to our political, what Beelzebub is to our religious history.

I am sorry to detect in your letter a certain tone of despondency & sadness. To indulge such feelings, is to cultivate them, & I entreat you to look always upon the bright side. There are two kinds of things you should try to feel badly about—1st what you cannot help—2nd what you can help. Do not allow your long sickness—from which thank God, you have recovered—to develop that habitual melancholy, which finally affected Aunt Alice Grant. Life is glorious, & usefulness in any sphere, should afford ample satisfaction.

When I shall see you again, dear Sister, it is impossible to say. Our Country needs the services of every man now, & where Uncle Sam sends me thither I shall go, "dulce et decorum est pro patria mori". There is not however, much of the "mori" in my position. I wanted to go into the army, but our rulers at Washington decreed otherwise. Whoever before, received such an appointment as mine, without asking for it! I wanted to be Lieutenant or Captain, & behold I am greater than Lieut. Colonel or Colonel, & in importance of position, equal probably to Brig. General. I have been modest all my life, but am so no longer as you see.

Perhaps you wish to know what my office is. I am Special Agent of the Treasury Department, Acting Collector of Customs for this port, Superintendent of Lighthouses, Naval Officer, Surveyor of the Port, Superintendent of New Custom House building, Acting Assistant U. S. Treasurer for New Orleans, and have lately added to other duties, that of Pension Agent. If you conclude from this catalogue of offices, that not much leisure is left to me, your conclusion would be correct.

From eight to nine every night, a fine band belonging to the regiment stationed in the Custom House, play in the rotunda of the building. They are playing now, & as I write the notes of "John Brown" fill the whole air. What a change! that the tune in honor of the man most abominated by all Southerners, should be heard every night in the metropolis of slavedom!

I have a fine parlor in this building (Custom House) dining room & private office. Gen. Butler would provide me if I asked for it, with a furnished house belonging to some "damned rebel" (to use his own words) but I prefer the present arrangement. Gen. Butler is a splendid man, & just suited to the position he

occupies. The Northern papers say he is severe, but I do not think him severe enough. This City will be strongly Union when the great rebel armies are whipped, because then there would no longer be hope, & now fear of retribution hinders many from announcing themselves Union men—I will write you again soon. Give my love to Brother John & to Mary. Also to Mr. and Mrs. Hibbard & James Noble & to Norman Williams. I can't stop to read this over. Good bye & God bless you.

Brother—George.

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Unofficial private  
Washington, July 23, 1862

Dear Sir,

Your letters, reports, and the statements of gentlemen coming from New Orleans Convince me that I Committed no error in Selecting you for the important trust now held by you.

I Confidently expect that all your actions will be equal to the past and indeed inspired by experience.

Continue to write me privately of all that relates to persons & things not proper for the subject of official communication. Write if practical at least once a week. Write fully and without censor, and assured that you will in no wise be injured thereby.

Mrs. Hart in her letter says that mine to her was not delivered till near the end of June though dated the 12th of May. And simply was left out when you first wrote after receiving it. I observed also some of your letters (official) sent back for want of your signature. This indicates a little negligence which will bear reformation.

Yours very sincerely

George S. Denison

S. P. Chase

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Collector's Office,  
Custom House, New Orleans,  
July 29th, 1862.

Dear Uncle Dudley—[D. C. Denison]—

I sent a barrel of sugar to mother, & marked it with your name; of which I failed to inform you. If you want sugar I can send you any quantity, & such as is good. I am delighted to see that Vermont furnished the first regiment for the 300,000.

General Phelps is a brick. I called on him the other day, up at Carrollton six miles from here. He is a man of much reading & has thought much. He has Twelve Hundred Niggars, Collected from various places, whom he is drilling & will probably organize them into regiments when the proper time comes. I saw a portion of them drill. This fact is not known yet *by the newspapers*, but I give it for your *private* information.

I am in favor of arming & using the negroes if necessary.

I have a fine Iron Cannon (6 pounder) which the rebels threw in the river & I recovered it. It has a fine brass carriage such as is used on board ship. Perhaps I will send the gun to Royalton. It would be regarded as a great trophy in that place.

I received your letter about the \$350.

Your Affectionate Nephew,

George S. Denison.

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Collector's Office,  
Custom House, New Orleans,  
August 10th, 1862.

Dear Uncle—[D. C. Denison]

I enclose two orders from Gen. Butler just published.

The rebels under Breckenridge,<sup>56</sup> attacked Baton Rouge, nearly seven thousand strong. Our forces numbered nearly three thousand. The rebels were repulsed with great slaughter. The rebel loss was about four hundred killed and six or seven hundred wounded.

Our loss was about seventy killed and 215 wounded.

We captured three guns.

It was a splendid affair.

My knowledge of it is derived from conversation with nearly thirty different soldiers and officers who were in the fight.

The 7th Vt. Regiment did splendidly, but lost only 3 killed & 17 wounded.

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<sup>56</sup> John Cabell Breckinridge (January 21, 1821-May 17, 1875) was a lawyer; served in the Mexican War as a major; was a member of the Kentucky legislature; served in Congress from 1851 to 1855; Vice-President from 1857 to 1861; was a candidate for the presidency in 1860, and received 72 electoral votes to 180 for Lincoln; was elected to the Senate in 1860, but was expelled on December 4, 1861, for entering the Southern army. He became a Confederate major-general, August 5, 1862; took an active part in the war; was Confederate Secretary of War from January, 1865, to the close of the war; escaped to Georgia, Florida, Cuba, and then to Europe after the close of the war; returned to the United States in 1868 and resumed the practice of law.—Appleton's *Cyclopaedia of American Biography*, I, 366.

Col. Roberts of the 7th Vt. was killed fighting bravely. The regiment numbered only 200 on the field, the rest being sick on a/c of their long stay in the swamps about Vicksburg. This regiment since its organization, has lost only thirty men by death. About 700 of them are in hospital in this City, not much sick but unfit for duty.

One Rebel general was killed & one wounded & taken prisoner. I have seen him. His name is Gen. Clark, of Mississippi. The Rebel Ram Arkansas could not *weather* the storm, nor pull the wool over Commodore Farragut's eyes. The Ram is at the bottom of the Mississippi. Hurrah for New England Yankees.

Your affectionate Nephew—George S. Denison  
Special Agent & Acting Collector

P.S. Love to all.

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Custom House, New Orleans,  
Collector's Office  
Aug. 25th 1862.

Dear Mother—

I always wish to write to you, just before the departure of the mail, but find that when I delay until that time, there is no opportunity to write at all. Mails leave here very irregularly, & it is not certain when another will go.

I sent home the box of rebel curiosities, about which I had previously written, and subsequently sent on the Steamship St. Mary's, a Cannon, recovered by myself from the Mississippi River, where it had been thrown by rebels to prevent its falling into loyal hands. The great skedaddle from New Orleans is one of the most interesting occurrences of the whole war, which has not yet been properly described. The terror of a great City under the fear of being shelled & destroyed—the headlong flight of a large army, & the rapid hegira of leading secessionists, with what few household goods they could take with them—presented a wonderful spectacle. At the same time the mobs were at work and whatever property they could come at, which they thought might be of use to Yankees, was destroyed. Floating docks, ships, steamboats, great stores of sugar and cotton, all were destroyed, but I have yet to learn of an instance, where any man destroyed willingly his own property.

The Union feeling is becoming developed satisfactorily. An undefined fear of consequences makes all timid. They know & have

seen the reckless violence of Rebels, but whenever the Rebel army is beaten at Richmond, then they will come out fully. A great Union meeting was held last week in the open air, & it was a complete success. The laboring men are all our friends and many others also.

About 1700 or 1800 men have been enlisted here. The free colored regiment (formerly in Confed. service) will be a perfect success. I shall write again before the next mail. Good bye. The City is healthy.

Your loving Son—George.

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Custom House, New Orleans, Sept. 7th 1862.

Collector's Office

Dear Uncle—[D. C. Denison]

I send home by this Steamer (to your address, as usual) a box containing a variety of things, which I wish delivered to mother or Charley. You will please pay the expenses accruing upon the box, & charge to me. There are some double barrel shot guns among other things, in the box. The one with a stock shaped somewhat like a pistol, I want saved for myself. I want our noble Frank to have one of the best—take one for yourself as a present from me—& one for Josie. Charlie is to have one & the others (if any) Charley will hold subject to my order. You will see some nice swords & other things. I intend to have a grand Museum of rebel Curiosities & relics.

Wasn't it rather absurd for me to send home that big Cannon?

Two Companies of the 8th Vt. were taken prisoners by Guerillas a day or two ago—about 25 miles West of this place. It is said that they surrendered without firing a shot. It does not seem to me that the Vermont regiments here, are winning much fame. I was mistaken in regard to the conduct of the 7th Vt. at Baton Rouge. They did not do well, but there is much excuse for them, which Gen. Butler does not mention. The whole regt was disorganized by sickness, 800 men in the hospital, & only about two hundred in the field. I do not think the officers are efficient—

I shall send home something else by & by.

Your loving Nephew G. S. Denison

The City is healthy.

To Hon D. C. Denison.

Custom House N. O. October 5th 1862.

My Dear Mother—

The steamer goes day after tomorrow, but I write now, lest there might not again be leisure. I heard of Uncle Williams death by your letter, & it surprised as well as distressed me, for I did not suppose he was dangerously sick. It must have been an excessive affliction to Willie & Cousin Lucie—as well as you all. The same mail brought intelligence of the death of Judge Hewitt, in whose office I studied law in San Antonio. He left there, & became paymaster in the Army with rank of Major. He left here for New York a few days ago, having contracted a dysentery of which he died in New York. He was a good man & a true patriot, & leaves a wife & ten little children in San Antonio, from whom the Rebels have taken away all his property.

I wish you would take all or most all the guns, swords & pistols I sent home, & put them in the closet of my room up stairs & let nobody see them. I did not send them for the public of Vermont nor to get my name in the newspapers, but for the entertainment only of my own relatives. A person writes back here from Burlington that everybody talks about the great number of things I have sent home & that all I & other Yankees want, is to rob the South &c &c. She is secesh & lies, of course, but the thing may be misrepresented & I want to be above suspicion. Whatever I send home I buy & pay for, but everybody dont know that. Whenever I send anything home please say nothing about it. Do what I ask, & put the guns swords & pistols away. I don't want to be a great man—nor the subject of newspaper notices—nor bragged about—nor have the public know of, nor meddle with my business.

Love to all. Your Affectionate Son

To Mother

George S. Denison.

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Custom House, New Orleans, Collector's Office,

Nov. 14th 1862.

Dear Uncle Dud—

I enclose order on you, favor of Mother, for \$100. It may be inconvenient to pay it all at once, if so let her have it as she wants it. Winter is coming on & of course, she wants money.

I have it here, & intended to send her a draft on New York, but found I should have to pay fifteen per cent premium, & therefore adopted this method. Mother must not be in want, as long as I can help her.

The sugar I was going to send is not quite ready, but will be forthcoming pretty soon. I hope to send it by the next steamer.

Everything is going on well here. We now have possession of the magnificent country between here & Berwick's Bay, up as far as Donelsonville. There was a short but big fight to get possession of it. Our New England cleaned up the Rebels in twenty minutes—though they had an equal or greater number. The two negro regiments are doing good service. Another is enlisted & will be in the field soon, And three more regiments before long making six in all.

A regiment of Texas Refugees is forming here. I don't brag, when I say I started this regt. A Union company in the City here made Asses of themselves by calling their company the "*Denison Home Guard*". The Only "*Denison Home Guard*" I should care about, would be composed exclusively of myself, & assigned for the defense of Royalton. But my Country calls, & I bleed in the Revenue service.

Thanks for the papers—Love to all.

Your Affectionate Nephew George S. Denison

To Hon. D. C. Denison Royalton Vt.

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Custom House, New Orleans, Collector's Office,

Nov 14th 1862

Dear Jimmy—

I wrote you last week, or a little before & informed you as to the correspondence with the "New Orleans Delta", & hope before long to see your first letter in that paper. We are very deficient in News for it comes from New York very slowly, & we generally first get an indistinct glimmering of through Southern sources. I have frequently sent you papers—do you get them? We have had lively times here as you will see by the papers, & the Yankees have taken all the Country between here and Berwick's Bay. How quick the Yankee boys cleaned up the Secesh though! It did not take over twenty minutes, but while it lasted

it was very severe. Gen. Butler has got two or three fine negro regiments & will soon have more. I wish all the Generals would arm the negroes. The Gov't will be behind hand in this, as in almost every other important measure. The rebels got ahead of us every time, in raising men, and in building Iron clads, & now I suppose they will get ahead in arming the negroes. Northern people are very thin-skinned. They are so afraid of proceeding to harsh measures. It seems to me that they are either rascally like Ben Wood, or else are in every case, altogether too good, like —

Gen. Butler is the man for a crisis. He isn't afraid of anything, except failure, & I have seen no man equal to him, except Southern Unionists. They never talk against the President's proclamation or his emancipation policy. What a miracle of virtue is John Van Buren? How green & gullible are the people of the North. I must go to dinner—

Good bye—

George

P. S. We have not yet heard the result of the N. Y. election.

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Custom House, New Orleans, Collector's Office,

December 18th 1862.

Dear Uncle—[D. C. Denison]

Events, which to us are of great moment, have occurred here within the last five days. Major Gen. Banks<sup>57</sup> arrived last Sunday night &, day before yesterday, at noon, assumed command of the Department of the Gulf. Gen. Butler goes North in a day or two. I cannot say I am sorry for the change. Nobody seems to know certainly the reason of the change—perhaps—

Dec 19th—

You see I was interrupted just there & will finish the letter today.—perhaps, I say, it has been partially effected by his treatment of the Vermont troops—perhaps it is on account of French influence—perhaps it is on account of the negro question—& perhaps it is for other reasons. It don't affect my position at all, of course. I have seen Gen. Banks twice & had a long conversa-

<sup>57</sup> Nathaniel Prentiss Banks of Massachusetts became major-general of volunteers, May 16, 1861; received on January 28, 1864, the thanks of Congress "for the skill, courage and endurance which compelled the surrender of Port Hudson and thus removed the last obstruction to the free navigation of the Mississippi river". He was honorably mustered out of service on August 24, 1865, and died September 1, 1894.—Heitman, *Officers of the United States Army*, 194.

tion with him. I like him exceedingly. His advent here is generally hailed with enthusiasm.

A great number of troops came with him—(I will tell you *confidentially* that I believe the number to be some) and a portion of them have already gone up the river & captured Baton Rouge, which place you know, was evacuated by us last summer. Port Hudson is twenty miles above Baton Rouge, & there are strong fortifications. We shall probably have a great fight there. It seems to me that the prospects are very bright now. When I told Northern people last spring that the war would certainly last a year or two longer, they thought I talked like a fool. Our government did not realize the position—but now they do. I believe the Mississippi River will be cleared out in a very few weeks, & then what will Jeffdom do, being cut into two parts? Mobile will be captured whenever our fleet attacks. You may be sure of that. I have seen persons lately from there. I know as much about it as any body.

Gen. Butler goes North next Monday. I do not know & he does not, whether he will be assigned to active service somewhere else.

Pardon the haste in which I am obliged to write. Love & kindest remembrances to all

Your Affectionate Nephew  
George S. Denison

To Hon D. C. Denison

Custom House, New Orleans, Collector's Office,

January 15th, 1863

General,

Three gentlemen residing at or near Pensacola,<sup>58</sup> named James Creary, Judge B. D. Wright, and G. F. C. Batchelder, were arrested and imprisoned in Fort Pickens by Gen. Dow.<sup>59</sup>

I know these gentlemen well. They were among the finest Union men of West Florida, and have not changed their opinions.

<sup>58</sup> The property of Judge Wright was restored and he had been put in prison on account of the oath of allegiance. The other two men were not loyal and were engaged in helping the Confederacy, but their property was restored to them. The property of these men was not destroyed by the rebels on account of their being Union men, but to prevent it falling into the hands of the Northern army.—Neal Dow, Brig. Gen. to Major Gen. Banks, in Denison Papers, Library of Congress, Jan. 31, 1863.

<sup>59</sup> Neal Dow of Maine became colonel of the thirteenth Maine infantry, November 23, 1861; brigadier-general of volunteers, April 28, 1862; resigned November 30, 1864; and died October 2, 1897.—Heitman, *Officers of the United States Army*, 381.

Nearly the entire contents of their dwellings, were seized and appropriated by Gen. Dow and the officers and men of his command.

The greater portion of their property had previously been burned and destroyed by rebel military forces. The larger part of the furniture of Mr. Creary (who is my brother-in-law) and of Mr. Batchelder, is virtually my own, as I hold a mortgage on it for more than its full value.

I cannot understand how rosewood furniture, pianoes, ladies' and children's dresses, old family plate, and similar articles can be considered contraband of war—especially when the property of Union people.

I respectfully request, as of right, that you issue an order to Gen. Dow to restore to Mr. James Creary and Mr. Batchelder, every thing that has been removed from their houses.

I respectfully request that Judge Wright's property be restored to him, especially silver plate belonging to himself and to his deceased wife, which I am informed, Gen. Dow collected and removed with his own hand. I consider this only just. The plundering of Union people cannot be regarded, by friends or enemies, as of benefit to the Government or its character.

The three gentlemen above mentioned were released from Fort Pickens, by Gen. Butler, on my representations.

I have the honor to be, General,

Very respectfully, Your Ob't Servt.

George S. Denison

To Maj. Gen'l N. P. Banks,  
Head Quarters of Department of the Gulf  
D—19 (Civil) 1863  
New Orleans Jan. 15/63

George S. Denison Collector

Requests return of property to Messrs Creary, Wright & Batchelder, of Pensacola, taken from them by Gen. Dow.

Rcd H.Q.D.G. Jany 26/63

Head Quarters Department of the Gulf New Orleans, Jany 27th, 63.

Respectfully referred to Brig Gen'l Dow through Brig Gen'l Sherman Aundy &c for report.

By command of Maj Gen'l Banks Richd B. Irwin Lieut Colo  
A A Genl

Head Quarters Dept &c New Orleans Feb 4th—Respectfully  
returned to Mr. Denison—Please see letter from Gen'l Dow.

By command of Maj Gen'l Banks Richd B. Irwin<sup>eo</sup> lieut Col  
A A Genl

Custom House, New Orleans, Collector's Office

Feb. 7th 1863.

Dear Uncle [D. C. Denison]

I send to your address today by Steam Ship "Creole" two  
boxes and a barrel. Please deliver them to mother whom I have  
directed what to do with them.

I soon cease to be "Special Agent & Acting Collector". I  
cannot refrain from giving you the following extract from a letter  
from Mr. Chase—which you will regard as confidential.

It has been finally decided that Mr. Bullitt shall be Sp. Agt &  
Acting Collector. This is not from any dissatisfaction with you,  
but partly as an acknowledgment of Mr. Bullitt's outspoken loyalty  
when it was dangerous to be loyal, & partly because it was most  
fitting that this particular office should be held by an old resident  
of the place. Every one speaks of you in terms of praise, which  
you may be sure is very pleasing to me. *My confidence in you  
was in your blood, & in your father's son, & most fully you justified it.* It is my wish that you should remain connected with the  
Custom House as Special Agent & acting Surveyor, or take the  
better office of "Commissioner of Internal Revenue". I send you  
authority to take either & hope you will take that which you  
best prefer. If you elect the last I shall have but one regret,  
that of losing you from the Custom House, where your knowledge  
& judgment & firmness would be of the greatest service to the  
Government & to Mr. Bullitt" &c &c.

The letter of which the above is an extract, is dated Jan. 19th.  
I have written in reply, choosing for myself the important officer  
of "Commissioner of Internal Revenue"—whatever that may be.  
At any rate it is a promotion, & a much better office than I have

<sup>eo</sup> Richard Biddle Irwin of Pennsylvania and District of Columbia became private  
adjutant and quartermaster-sergeant of third battalion, District of Columbia infantry, April 15  
to July 15, 1861; captain addition aide-de-camp, August 22, 1861; lieutenant-colonel and  
assistant adjutant-general, assigned, November 12, 1862, to September 19, 1864, when he  
resigned; and died April 26, 1892.—Heitman, *Officers of the United States Army*, 565.

been holding. So you see I am likely to remain in New Orleans for some time to come.

Government officers do not get once in a life time, letters like the one quoted above.

I am visiting you see—& am satisfied & happy.

Good bye Love to All.

Your Affectionate Nephew

George S. Denison

To Hon. D. C. Denison

P. S. My successor will be here in a week or two.

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Custom House, New Orleans, Collector's Office,

February 24th 1863

Dear Mother—

I send today (directed to Uncle Dud) a box containing various articles. It is the anniversary of my wedding day & I know not how better to celebrate it than by making you a present.

Open the box & distribute the contents as follows.

One blue dress pattern from Mr. Gray (Deputy Collector) to Susy.

One pair English (pegged) boots to Charlie or Frank. One English Rifle (in case) must be kept for me, & also the other pair of boots & three pair of English heavy shoes.

The rest of the things belong to you including Cotton—Calico Shoes & blue & gray flannel.

I forgot to say that the books are mine. Remember the following articles are mine & must be stored out of sight.

1 Rifle (in case)

1 pair sewed boots

3 pairs English heavy shoes.

Books.

I am very well & as hard at work as usual. My successor will be here in three or four days. I am to be—Special Agent of the Treasury Department, Acting Surveyor of Customs & Acting Collector of Internal Revenue!!!!!!!

I have been presented with a beautiful watch & chain, by the Custom House Officers. It is the finest thing I ever owned, has upon it an appropriate inscription, & you may be sure I feel very proud of it.

Let me ask one favor—Take the things out of the box & use them, & don't tell any body about it—I know it is a horrible condition to impose, but please grant it & oblige me. The idea of being everywhere heralded as the benefactor of mankind, because I buy & send home a few things, is simply ridiculous. I rec'd your letter & Willie's picture. It is a fine picture of a fine boy and I thank you for it.

George S. Denison

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United States Internal Revenue, Collector's Office,  
District of the State of Louisiana,

New Orleans, June 28th 1863.

My Dear Uncle—[D. C. Denison]

I arrived here last Sunday, eight days from New York, having been absent from N. Orleans three weeks and two days.

I have been exceedingly busy since my arrival, & feel quite tired out.

The grand & final assault on Port Hudson will be made tomorrow. I feel entire confidence that we shall take it. At any rate Gen. Banks will take it, or die.

Gen. Magruder<sup>61</sup> with from seven to ten thousand Texans has invaded the Lafourche District, & what troops we had there have retired to this City & now occupy the fortifications on the opposite side of the River just beyond Algiers. Magruder's advance guard is said to be twenty three miles from here & the whole force advancing on New Orleans. Wont they have a good time though? There is no possibility of their capturing the City, & their object is to scare Banks so that he will leave Port Hudson. Gen. Banks is not to be scared & we have

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<sup>61</sup> John Bankhead Magruder of Virginia became a cadet on July 1, 1826; brevetted second lieutenant and second lieutenant of seventh infantry, July 1, 1830; first lieutenant, March 31, 1836; captain, June 18, 1846; brevetted major, April 18, 1847; for gallantry and meritorious conduct in the battle of Cerro Gordo, Mexico, and lieutenant-colonel for gallantry and meritorious conduct in the battle of Chapultepec, Mexico, September 13, 1847; resigned, April 20, 1861; was major-general in the Confederate army from 1861 to 1865; and died, February 19, 1871.—Heitman, *Officers of the United States Army*, 684.

ample force to take care of ourselves. If we take Port Hudson tomorrow, *then* how are you Magruder?

About Magruder & his forces, I have given the Statement which has circulated & been delivered all day, but tonight it was said his force was much exaggerated & that he has retreated to Brashear. Uncle James Denison arrived here from San Antonio via Matamoras, the day before I arrived from New York. He came over from Matamoras in a sailing vessel, having left San Antonio on the tenth of May. He did not leave from necessity, but with the intention of coming here. He is well & all his family were well when he left. I have not had time to find out what his plans & intentions are—for he is waiting till I get over immediate haste so that he may talk to me fully. I shall try & persuade him to go to Vermont by the Steamer which is to leave here in about ten days. He is now at my house.

I regard Magruder's operation as merely a raid to call off Banks, & of no exceeding consequence. No shadow of doubt ever clouds my faith in the good cause and its success. God is in Heaven & always (ultimately) sustains the right & *we are right*. I know it. I don't *think* it—I *know* it. Love to all—good bye—in haste

George S. Denison

To Hon. D. C. Denison  
Royalton Vermont

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United States Internal Revenue, Collector's Office,  
District of the State of Louisiana,

New Orleans, July 1st 1863.

Dear Brother Jimmy—

The mail does not leave till next Saturday but I write now fearing another opportunity may not occur. I have been thoroughly occupied since my return, & now there is a little lull which I improve for your benefit.

We have had an exciting week. The Rebs are straining every muscle to relieve Port Hudson or scare Gen. Banks away, by threatening New Orleans, but it does no good. Gen. Banks can't be scared & is going to take Port Hudson or die. I think we shall have it before the close of this week. At any rate the grand as-

sault will carry it, & this assault is expected to be made every day. The rebels inside are living on mule meat & scant supply of corn, and deserting to our side at the rate of 40 or 50 per day. They would have surrendered before now, but the General in command is a renegade Connecticut man, & fights with Yankee obstinance.

Gen. Banks is a brick. He cares no more for storms of shot & shell, than for gentle rain. The army is in fine spirits & when the rush is made, Port Hudson is no more. The next mail which will carry this letter, will also carry I hope, news of the surrender.

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United States Internal Revenue, Collector's Office,  
District of the State of Louisiana,

New Orleans, July 10th 1863.

Dear Mother—

Port Hudson surrendered yesterday—5000 prisoners & 50 pieces artillery. Vicksburg surrendered on the fourth of July, & we may now regard the Mississippi as opened—but it will not be opened for trade till high water, for the levees, forming natural breastworks, will enable straggling guerrillas to blaze away all the time at unarmed boats. We feel first rate here, but I suppose you are scared on account of Mr. Lee's invasion of Pennsylvania. The Rebs here think he is going to capture Philadelphia and New York City. If Pennsylvania with her dense population, cannot repel an invasion, she deserves a little ravaging.

With much love I am Your Affectionate Son

George S. Denison

To Mrs. E. S. Denison Royalton, Vt.

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Memphis, Tenn. Aug 6th, 1863.

Dear Mother,

I am up here on official business. Don't I wish I could keep right on to Chicago—& then home—but I can't.

I left New Orleans ten days ago—, have been at Port Hudson, Natchez, & Vicksburg, & arrived here yesterday. I go back to New Orleans at once—perhaps tonight.

I saw Gen. Grant at Vicksburg & had a talk with him. It has been awfully hot & I have had a mean time.

I have been sick for a few days with what Vermont people delicately term "Summer Complaint" but have become nearly well now.

I shall write you as soon as I get back to N. O. which I hope will be in 7 or 8 days.

Love to all & best wishes for the prosperity & happiness of all of you.

I can assure you by experience now, that the Mississippi River is open. Good bye.

George S. Denison.

To Mrs. E. S. Denison  
Roynton.

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Collector's Office, United States Internal Revenue,  
District of Louisiana, New Orleans, Aug. 12th 1863.

Dear Uncle Dudley—

I have not written to you for some time, having been absent on a trip up the River to attend to business connected with the Treasury Department.

I went as far as Memphis, & from that place wrote a letter to Mother.

It is a great thing to go nearly the whole length of the Mississippi River when for two years it has been forcibly closed. I was at Port Hudson & went all over the place, & was also at Vicksburg but did not examine the latter place so thoroughly. It makes me feel proud of our army, when I see such apparently impregnable places overcome & captured. It is a wonder to me how they were ever taken. At any rate I should be willing to bet my pile that they never could have been wrested from a Yankee garrison. Vicksburg is not so much injured as I supposed. The artificial caves where the people lived are still there just as on the day of surrender. I saw Gen. Grant<sup>62</sup> & talked to him for some time. He is a fine military officer & his whole army feels

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<sup>62</sup> U. S. Grant (April 27, 1822-July 3, 1885) served in the Mexican War; was forced to resign from the army on account of his conduct; had a very difficult time making a living; developed into the most outstanding Union general in the Civil War; and was President of the United States from 1869 to 1877.—Appleton's *Cyclopaedia of American Biography*, II, 709-725

proud of him. In other respects I do not suppose he is so able a man as Gen Banks.

I stopped at Natchez, the most beautiful town on the river, & was kindly entertained by Gen. Rausom,<sup>63</sup> who is the son of Col. Rausom formerly of Norwich Vt. & killed at Chapultepec. The General is a very young man, but a splendid officer.

*Entre Nous*, there is going to be a big attack on Mobile pretty soon & afterwards there will be a big expedition to Texas. This news is *confidential*. A large force from Grant's army is here already & more are coming. You need not be surprised to hear within four weeks that Mobile is in the hands of the Yankees.

The Gen. Strong<sup>64</sup> who was second in Command at Charleston & was killed there, was Gen. Butler's Chief of Staff. He was a native of Stockbridge Vermont, & was one of the handsomest kindest men & best officers I ever saw. He was about my age & I was very sorry to hear of his death.

Tell Uncle Jim that Dr. Bethell has arrived here from San Antonio. He left there the last of June & at that time our relatives were all well. He has been appointed Surgeon in the army here.—The City is very healthy—we probably shall not have yellow fever this year. I have been somewhat sick but am nearly well again.

Love to all. Your Affectionate Nephew

George S. Denison

To D. C. Denison Esq

P. S. Capt. Hebard,<sup>65</sup> of the 1st Vt. Battery has just come in. He & his battery distinguished themselves at Port Hudson. He looks used up with hard work. He requests me to give you his regards.

G. S. D.

<sup>63</sup> Thomas Edward Greenfield Rausom of Vermont and Illinois became captain of the eleventh Illinois infantry, April 24, 1861; major, June 4, 1861; honorably mustered out, July 29, 1861; lieutenant-colonel of the eleventh Illinois infantry, July 30, 1861; colonel, February 15, 1862; brigadier-general of volunteers, November 29, 1862; brevetted major-general of volunteers, September 1, 1864; and died October 29, 1864.—Heitman, *Officers of the United States Army*, 816.

<sup>64</sup> George Crockett Strong of Vermont and Massachusetts became a cadet, July 1, 1853; brevetted second lieutenant of ordnance, July 1, 1857; second lieutenant, July 31, 1859; first lieutenant, January 25, 1861; captain, March 3, 1861; major and assistant adjutant-general of volunteers, October 1, 1861, which expired July 17, 1862; brigadier-general of volunteers, November 29, 1862; major-general of volunteers, July 18, 1863; and died, July 30, 1863, of wounds received on July 18, 1863, at assault on Fort Wagner, South Carolina.—Heitman, *Officers of the United States Army*, 932.

<sup>65</sup> George T. Hebard's command took an active part in Louisiana campaigns.—*War of the Rebellion Records*, Series I: Vol. 15, p. 713; Vol. 26, pp. 530, 633, 660, 895; Vol. 34, pt. 1, pp. 170, 268, 406, 407, 412-414, 469, pt. 2, pp. 198, 474, pt. 4, p. 615; Vol. 53, p. 564.

United States Internal Revenue, Collector's Office,  
District of the State of Louisiana,

New Orleans, Aug 17th 1863.

Dear Brother Jimmy—

No military movements are being made here now, but immense preparations are in progress, & you need not be surprised to hear of lively times.

Between you & me I think we shall have Mobile within a month & if I mistake not Texas will feel the rough grasp of war before the Autumn is over. A large force of Grant's army is here & more are coming down. I think 45,000 or 50,000 men will go round by sea to near Mobile and there land & give 'em fits. Elletts<sup>ee</sup> Marine Brigade boats are at Carrollton, six miles above here. They brought down troops from above. I suppose all this information is contraband but probably you will not in any case, cause it to be published.

I am very glad you have such a good time at home. I would give almost any thing in the world to be idle & to be at the same time in Vermont—for six weeks. Wouldn't the trout suffer some? By the time your vacation is over you will be strong & healthy, I hope. At any rate you will be so if you follow my advice. Every body who follows my advice, even if they do not possibly go to heaven, is sure of prospering in this lower life. For instance I used to tell secessionists that they would go to perdition if they endeavored to execute their schemes, and the prophesy is close upon fulfillment.

There are a great many Negro troops in this Dept & Gen Banks is raising more as rapidly as possible. Most of the "prime hands" have been run off to Texas towards the West, or towards the East into Alabama.

I shall probably write to Mother next. You have plenty of spare time now—Give us a letter once in a while.

Your Affectionate Bro. George S. Denison

To James Denison

<sup>ee</sup> Alfred Washington Ellet of Pennsylvania and Illinois became captain of the fifty-ninth Illinois infantry, August 20, 1861; lieutenant-colonel and assistant aide-de-camp, April 28, 1862; brigadier-general of volunteers, November 1, 1862; resigned, December 31, 1864; and died January 9, 1895. Charles Ellet, Jr., of Pennsylvania and Illinois became assistant aide-de-camp and colonel, April 28, 1862; and died June 6, 1862, in a naval engagement at Memphis, Tennessee.—Heitman, *Officers of the United States Army*, 461.

Collector's Office, United States Internal Revenue,  
District of Louisiana, New Orleans, Sept 4th 1863

My Dear Aunt Rachel—

I ought to write you a long & respectable letter, & should if I consulted my own inclinations, but it is late & I am tired. Perhaps you thought I was not going to write to you any more. so long a time has passed without your seeing my beautiful chirography, but that would be as great a mistake as you could make. We have had a grand review today by S—don't know how many troops—& I have been unable to find any body who did know, but somewhere between 15,000 &—more. Gen. Grant is here. Part of the troops have already gone on board Transports, & I suppose they will start tomorrow.

Is it not strange that such a great expedition can be organized and started & no outsider know where they are going to. Yet such is the case now, & I cannot tell whether they are going to Mobile or Texas—but I *think Texas*. Won't some of my Texas friends & enemies get waked up. I have already contracted to have one man— A great number of Union men—hanged & whether I ask it or try to prevent it, I think it will be done anyhow—for you know we have a regiment of refugee Texans here, & when they get back, won't they make the fur fly!

I am well and hard at work. I love you all & am doing some good, I hope—at any rate, I try to.

Nobody writes to me nowadays & I don't care. Love to all—Will Uncle Dud come to see me this winter if I ask him?

Yours Loving

George S. D.

To Aunt Rachel

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Office Supervising Special Agent Treasury Department,

New Orleans, Nov. 6th 1863.

My Dear Mother

I have not written to you for some time, and really & truly for the reason that I have not had time. In addition to other important duties, I am temporarily doing duty in a new office, as you see by the heading of this sheet. Pretty soon however,

Mr. Flanders, the real supervisor—the original Dr. Townsend<sup>67</sup>—will return from Washington & resume the place I am obliged to fill for a short time.

I am making a good deal of money for Uncle Sam, & have now in my hands not far from—I wont tell you though, how much Gov't funds, I do hold—for, perhaps you wouldn't believe me. I am going to write you a respectable letter next time—but am all tired out now—& want to go to the Theatre. There's such a pretty girl at the Theatre—& Oh—she is such a lovely actress! Oh my! what am I talking about. Tell Uncle Dudley I rec'd his last letter—all about finances. Give my love to every body over fifteen & under thirty years old except my relatives and give my love to all of them without exception.

Your loving Son George

To Mrs. E. S. Denison

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United States Custom House, Collector's Office,

New Orleans, Dec 3rd 1863

My Dear Mother

You see a new heading on this letter but it is not improper. The Leopard cannot change his spots, nor the Ethiopian his skin, but G.S.D. changes his official position very often. You may probably call it a promotion if you please. Having thoroughly organized the Internal Revenue Office for Louisiana, I am put back in my former place with salary more than doubled and with my additional duties & responsibilities. Congratulate me.

Did you get the \$500, I sent you

We've been getting up a little bit of a bank here. Enclosed is a reference thereto cut from one of the City papers. The Capital Stock is \$500,000—capable of being increased indefinitely. It is a big thing.

I think you had better go to Eliza this Autumn—if you wish. See that enough wood is obtained—hard maple wood—to last you two years. If you want more money—let me know.

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<sup>67</sup> Norton Strange Townshend of England and Ohio became lieutenant-colonel and medical inspector, March 11, 1863; honorably mustered out, October 31, 1865; and died July 18, 1895.—Heitman, *Officers of the United States Army*, 968.

Give my love to all our folks, and if any body asks you about losing my place—give them the proper answer.

Let Willie stay in Royalton anyhow.

Yours Affectionately,

George S. Denison

Collector—Bank Director—Chief Cook &  
bottle washer

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United States Custom House, Collector's Office,

New Orleans, Feb. 12th 1864.

My Dear Uncle—[D. C. Denison]

I was absent from here only three weeks when I went North Making the round trip in that time & spending four days in Washington, in which time I did 4 weeks-work. Nobody comes up to the scratch in such matters, as I do. I did not have time to drop you a single line during my visit, & had not written for some time previous. There is no rest for the wicked, nor for some not wicked—& I don't get time to say my soul is my own.

We are having a great time about politics. Two Union Candidates are out, & meetings are held every night. I have a finger in the pie of course, & am tired of it already. However you will see Louisiana back in the Union in the next 60 days.

My Dear Uncle—I want to write you a good letter, but can't. There is too much work & excitement & things that a respectable letter is not to be thought of.

Cousin Henry is sitting right opposite to me, & perhaps it is his presence which is something like a reproach to me for having neglected you so long. Henry is a little homesick, I think, & perhaps he thinks regretfully of the girl he left behind him. But such feelings don't amount to much after he gets to work & has joined his regiment. Cousin George is not so well as he was but he is at his desk. The climate is unfavorable to his particular case and he will go home in the Spring.

Judge Stribling of San Antonio arrived here this morning & came to me at once. He left San Antonio on the 18th of January & at that time Aunt Elizabeth & her whole family were well.

I am very prosperous & grateful for prosperity, which I try to merit. My life is a continual enjoyment, happiness & hard work.

I saw Col Thomas<sup>68</sup> (Henry Col) this morning—& said proper things to him. Henry stands a fine chance, if he serves with ordinary merit for three or four months. I can help his advancement much, but do not tell him so of course.

Gen. Banks is doing finely here & his success both civil & military, is assured. Isn't Old A. Lincoln a trump?

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United States Custom House, Collector's Office,

New Orleans June 17th 1864

My Dear Mother

I have been here ten days and am better than when I left home. I find that hard work don't agree with me & am taking things easy. It is possible to take things easy in the Summer as business is at a standstill. I am going to be as lazy as circumstances will permit for the next three month & then I am all right till next summer.

My friend Mr. Eagar of San Antonio is here & goes North tomorrow. He brought that letter from Alice to her father which I forwarded to him. It was the only letter he dared to bring.

From two distance sources I have heard that Mrs. Love<sup>69</sup> died after a short illness about the tenth or 15th of April. She was well when Mr. Eagar left there, but a Mr. Garahy came recently to Brownsville who stated it as a fact, & I have received a letter from Monterey from a friend who said Mr. Ogden told him. Mr. Eagar has been here 4 weeks. I believe the report of Mrs. Love's death.

I am well & in good spirits. Have Eliza come home at my expense. Love to all. Yours

George

To Mrs. E. S. Denison

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<sup>68</sup> Henry Goddard Thomas of Maine was captain from June 24 to August 26, 1861; he was then made major; became colonel, March 20, 1863; honorably mustered out of service, July 11, 1863; became colonel of the nineteenth United States infantry, January 16, 1864; brigadier-general of volunteers, November 30, 1864; honorably mustered out of volunteer service, January 15, 1866; transferred from the eleventh to the twentieth infantry, September 21, 1866; became major, October 22, 1876; major and paymaster, May 23, 1878; brevetted major, May 12, 1864, for gallantry and meritorious service at Spottsylvania, Virginia, lieutenant-colonel, July 30, 1864, for gallantry and meritorious service in the fort at Fredericksburg, Virginia; colonel and brigadier-general of the United States army and major-general of volunteers, March 13, 1865, for gallantry and meritorious service during the war; retired, July 2, 1891; and died January 23, 1897.—Heitman, *Officers of the United States Army*, 954.

<sup>69</sup> Mrs. Love was his Uncle James Denison's mother-in-law.

United States Custom House, Collector's Office,

New Orleans Aug 6th 1864

My Dear Uncle

We have just rec'd glorious news from Mobile. Farragut has passed the forts with sixteen vessels—commands the Bay—& holds the town at his mercy. There is no room to doubt the truth of the report as the Dispatch Steamer Clyde has just arrived from there, bringing the news. Two large Monitors came down from St. Louis a few days ago and went out to sea. A large force of troops under Gen. Granger,<sup>70</sup> also left here—about 12,000 in number. They are probably near Mobile now. This is a gleam of light in the midst of darkness & I hope it will all turn out true & more too. I expect old Farragut is happy now that he has got to pounding away at Rebel batteries again.

Gold is up very high here—At least 20 per cent higher than in New York. I have great fears about our currency unless we have decisive military success this year. Things look very bilious.

The rebels have commenced making raids on the River and will do much damage. They came in last night and destroyed several plantations within our lines.

I hope you made that purchase. Are all the folks at home now? If so they must be having a good time.

Yours George S. Denison

To D. C. D.

(Copy) Executive Mansion Washington August 9, 1864

Major General Banks,

I have just seen the new constitution adopted by the Convention of Louisiana and I am anxious that it shall be ratified by the people. I will thank you to let the civil officers in Louisiana, holding under me, know that this is my wish, and let me know at once who of them openly declares for the Constitution, and who of them, if any decline to so declare.

Yours truly,

(Signed) A. Lincoln

<sup>70</sup> Gordon Granger of New York graduated at West Point; became a cadet, July 11, 1841; brevetted second lieutenant, July 1, 1845; second lieutenant, May 29, 1847; first lieutenant, May 24, 1852; captain, May 4, 1861; brigadier-general of volunteers, March 26, 1862; major-general of volunteers, September 17, 1862; honorably mustered out, January 15, 1866; became colonel, July 28, 1866; unassigned, March 15, 1869; assigned, December 15, 1870; and was brevetted with many honorary ranks during the Civil War.—Heitman, *Officers of the United States Army*, 469.

United States Custom House, Collector's Office,

New Orleans, August 13th 1864

My Dear Uncle

I don't get a chance to write during the day time, except under great difficulties, & so I have come down to my office this hot night to send greetings to one or two of my friends, & let them know they are not forgotten—& of course, I address you first.

We had a great success at Mobile—how great those only can understand who for two years have heard the insolent boasting of Rebels, as to what Farragut would suffer when he undertook to go into Mobile harbor—how the "Tennessee" would send his whole fleet to the bottom if indeed any of them survived the passage of the Forts. Two hours & a half was the whole time occupied by the "Old Salamander" in cancelling three years labor of the Southern Confederacy. Fort Morgan is completely surrounded & invested, but I suppose it will not be taken for three or four weeks, as the work is to be done by regular approaches which will save much life. Its fall is a sure thing as it is impossible for the Rebels to afford it any relief. I don't know whether Mobile is to be taken. If not attacked it will be because it has been very heavily reinforced, which by weakening the Rebel army in Georgia, helps Sherman<sup>71</sup> as much as if Canby<sup>72</sup> should join him. I hope this success is the dawn of a brighter day. "Behold how brightly breaks the morning". I enclose a Rebel account of the fight, which account as a specimen of highfalutin bombas, excells any thing I have ever seen, & only reminds me of the whistling of a cowardly boy as he passes by night the graveyard.

Gen. Canby understands his business & attends to it.

I have not heard from Texas since I gave you the last intelligence from there.

<sup>71</sup> William Tecumseh Sherman (February 8, 1820—February 14, 1891) graduated at West Point in 1840; entered the army in 1841; sent around to California in 1846; resigned, September 6, 1853; engaged in business; was attorney in Kansas; superintendent of Louisiana State Seminary of Learning and Military Academy; resigned and returned to St. Louis; entered the army, and soon became one of the greatest of the Union generals.—Appleton's *Cyclopaedia of American Biography*, V, 502-506.

<sup>72</sup> Edward Richard Sprigg Canby of Kentucky and Indiana graduated at West Point and became a cadet, July 1, 1835; second lieutenant, July 1, 1839; first lieutenant, June 18, 1846; regimental adjutant from March 24, 1846 to March 8, 1847; brevetted captain and assistant adjutant-general, March 3, 1847; major, March 3, 1855; colonel, May 4, 1861; brigadier-general of volunteers, March 31, 1862; major-general of volunteers, May 7, 1864; honorably mustered out of service, September 1, 1866; became brigadier-general in United States army, July 28, 1866; and was brevetted with many titles during the war. He was murdered, May 11, 1873, by the Modoc Indians near Van Bremmer's ranch, California, while engaged in a peace conference.—Heitman, *Officers of the United States Army*, 297.

My Mr. Gray goes North on tomorrow's steamer, & for two or three months I shall have my hands full. I am pretty stout however, & begin to feel my former intrepid vigor.

Your Nephew

George S. Denison

To D. C. D.

*Please write.*

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United States Custom House, Collector's Office,

New Orleans Sept. 2nd 1864.

My Dear Uncle

Please pay & charge to my a/c, whatever expenses remain unpaid for repairs &c, to Mother's house. I give this particular direction, because Mother seems to be under the impression that I limited the amount to be expended to \$1200—Whereas I desire to pay all expenses whatever may be the amount.

The great Rebel Ram "Tennessee" captured by Admiral Farragut in Mobile Bay, has come into the Mississippi River, & is anchored in front of the City. Visitors are not allowed to go on board, but the Commodore gave me a pass & I went on board this morning. She is the strongest vessel I ever saw—much stronger than any of our river Iron-Clads, & it seems to me, stronger & more efficient than our Monitors. How in the world she could be captured I don't see—but old Farragut knew how to do it. It is the greatest achievement in Naval history.

We shall take Mobile in a few weeks—*sure*.

I drive a sorrel pair of horses which trot together inside of three minutes—One of them isn't mine, though. I don't drive them during business hours, and only on the shell road after dinner. It's great fun.

Good night—

Your Affectionate Nephew

George S. Denison

To D C Denison  
Royalton Vt

United States Custom House, Collector's Office,

New Orleans Sept. 6th 1864.

My Dear Jimmy

I got your letters and letters from others, but have replied to all that needs an answer so far as business goes—in my last letters to Mother and Uncle Dudley. I wish you would tell Uncle Dudley that I wish to hear from him.

We have just got news of the nomination of McClellan,<sup>73</sup> & most people here regard his chances of election as very good. Mr. Lincoln seems to have lost much strength since Mr. Chase left the Cabinet, & has gained none. Perhaps something may turn up between now and election time to spoil Little Mac's broth—though I do not know what better could happen than two or three rousing victories. If Mr. Lincoln would withdraw and permit some strong war man (Republican) to take his place, McClellan would be nowhere. I judge not of things as they seem in Vt, but as they seem in New York, the great West & the great South West.

Are you having a good time? If so, I want to know it & to keep knowing it.

I have to work hard now—am a good deal harrassed & annoyed—& don't have a remarkably good time. It is very hot—wonderfully hot for this time of year. I'm tired of it.

God save the Republic. In haste—Yours

George

To Jimmy D.—A. M.

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United States Custom House, Collector's Office,

New Orleans Sept. 14th 1864

My Dear Uncle

In my last, I requested you to pay all bills contracted by Mother for repairs &c. I do not know but I am drawing on you too heavily. If you want more money, just let me know, & it shall be forthcoming.

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<sup>73</sup> The Democratic National Convention met in Chicago, August 29, 1864, but they were hopelessly divided. McClellan received 202½ votes and then it was made unanimous. George H. Pendleton was his running mate. In his march through Georgia Sherman knocked the planks out of the Democratic platform, and in the election Lincoln received 212 electoral votes to 21 for McClellan.—James K. Hosmer, *Outcome of the Civil War*, 154, 156, 219.

I have very little to say, but have a good deal to do in these days. I have rec'd many letters from various members of our family & expect to receive many more.

We have no military news except from Western Texas. The French were advancing in Matamoras when Cortinas, evacuated the town crossed the River into Brownsville with 2000, attacked the Confederates there & whipped them out, & now holds South West Texas. We had evacuated Brownsville some weeks ago. Cortinas is the Mexican General who likes the Federals and hates the Confederates. He has raised the United States Flag, and claims to be fighting for the good old Government which is the friend of the Liberal Mexicans. We shall see what we shall see.

I am in haste & interrupted. Good bye—George  
To D. C. D.

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United States Custom House, Collector's Office,  
New Orleans Sept. 30th, 1864

My Dear Sister Eliza—

I don't suppose you are going to write me a respectable letter under any circumstances, but even if such be the fact, you will have to submit to the reception of occasional reminders from me. Clara tells me that you will stay at home till the middle of October, which is a wise determination—and that thirty five men are to be drafted in Hyde Park. Don't permit your domestic equanimity to be disturbed by any disagreeable anticipations. God is with and over us, & whatever he permits is for the best. I'll bet ten dollars to one that if there is but one man who is not drafted, Mr. Jameson will be that man. That is always our good luck. The war isn't going to last much longer. When I told people in Vermont after my return from the South, that the war would last two or three years longer, they thought I was a fool—or at least that my judgment was defective. The time is nearly up—& the Confederacy is nearly gone up too. Despair & dismay crouch upon every Rebel hearth stone—Mr. Lincoln will be re-elected—Grant will soon take Richmond & the great mountain of treason will suddenly melt down to an insignificant grease-spot. Grant Sherman & Farragut are the boys for me.

But as I write those names, I look up and am reminded of another. It is eleven o'clock at night, & I am writing in my office

in the Custom House. On my table right in front of me stands a beautiful little bronze statue of Mercury which a friend obtained for me from Rome. He is just about to spring towards heaven, & his raised arm is outstretched. In his hand he holds a little picture which I placed there this morning, & this is what I saw when I looked up just now. It is the picture of Abraham Lincoln, who will clean the rebels out of America—honest old Abe—who is a bully boy, and he also is the boy for me.

Secesh are despondent—most of them hopeless. Grant told the truth when he said their last man was in the army. I know it, & I get accounts direct from the Confederacy all the time.

My Dear Sister, write to me—Send me your *Carte de visite*; and pictures of your children. Make somebody send me my boy's picture. He isn't a very pretty boy now, but maturity will make him resplendently handsome like his father.

I love you. Good night.

George S. Denison

To Mrs. E. D. Jameson

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United States Custom House, Collector's Office,

New Orleans Dec 2nd 1864

My Dear Uncle

I have rec'd your favor of the 17th November, acknowledging receipt of the \$1000.

I have not much to say at this late hour of the night.

Gen. Canby will soon be quite well. He is not yet able to be out, but in a few weeks will attend to business again. That guerilla came near giving him a finishing shot.

Sherman is stirring up the Confederacy with a long pole. I don't think the Rebels are so much afraid of any other General, as they are of Sherman. He just pitches in & breaks things. If he succeeds well in this expedition, the Confederacy will be a used up concern. You just watch & see if he don't finally come out at Apalachacola, after destroying nearly the whole State of Georgia—& then after getting ammunition, start out again & clean up Mobile & Alabama. I don't believe he is going to the Atlantic Coast, but the fact is, neither the Rebels nor any else, except himself, seem to know where he is going.

I am pretty well & have enough to do. Old Joiner is going to flummux on the sale of that farm—I rather think—Please keep me posted.

In haste Yours G. S. Dennison  
To D. C. Denison

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Custom House N. O. Collector's Office

Jan 24th 1865.

My Dear Mother

Enclosed is a little slip from the newspaper which may interest you—whence you may infer that I am one of the *Solid* men of this community. What that means I don't know, unless in reference to avoirdupois.

This is thanksgiving day in this City & in so much of the State as is under Federal control. It is not the *regular* Thanksgiving, but an extra one, observed in compliance with a proclamation of the Governor, & is in honor of the establishment of free institutions in Tennessee & in Missouri. I intended to get time as the Custom House is closed, to write several letters today, but as is often the case, have been disappointed. There is no rest for the wicked, & there is not much rest for me. Draw your own inferences.

As to my moral condition, I have had business enough to do today, to prevent my thinking much about Missouri or Emancipation. Isn't it glorious news about Fort Fisher? Secesh are terribly discouraged in this City by the late numerous successes of the National Arms—They generally acknowledge & believe that the Southern Confederacy is played out.

Your Son  
George.

Mrs. E. S. Denison

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Custom House New Orleans  
Collector's Office Feb. 10th/ 65

Dear Jimmy

There is going to be a great campaign in this Department in about a month, & troops arrive in large numbers. There will be a rattling among the dry bones at Mobile and throughout Alabama,

I reckon. The military are laying a railroad right through the City from the River to the lake—six miles—along one of the principal streets. I suppose this means that they will bring supplies down the River from the Northwest, convey them easily to the Lake by Railroad, and thence ship them to Mobile. It is going to be a big thing, sure.

You had better burn this letter up.

I want my love given to all relatives and to all enquiring friends. Remember me particularly to Sister Lizzie and the baby. What is your candid opinion of my hopeful son and heir?

Your loving Brother

Geo. S. Denison

James Denison A. M.

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United States Custom House, Collector's Office,  
New Orleans Mar 9th 1865

My Dear Brother

We are going to have a great time in this Department from this time forward. Canby's large army is close to Mobile, and perhaps the place is being attacked even now. Directly after its capture you will hear of him raging around in Alabama & Georgia. A great battle will probably happen at Selma on the Alabama River, where the Rebs are trying to collect a strong force. We shall lick 'em there & everywhere else. The Confederacy is almost a thing of the past. I am very busy now & write in haste—Therefore pardon the brevity of this reply to your interesting & welcome letter. Write me another.

Yours

George S Denison

James Denison

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Custom House, New Orleans,  
Collector's Office March 25th 1865

My Dear Jimmy

I think you owe me a letter, but at the risk of putting you further in my debt, I find time to drop you a line, as the mail leaves this evening, & I don't know when it goes next time.

Did you get my letter concerning the little amount of money you wanted? We have no news here of any account, but are in daily expectation of something exciting. The march on Mobile has commenced, an assault, although for weeks troops have been concentrating at various points, preparatory to marching. I should not be surprised if we take Mobile within three days, although it may require three weeks. But directly after its capture there will be a great march into the interior, and you will hear of Federal actions and great successes.

I am having comparatively an easy time now—or rather I make it easy, for I intend to get through the Spring's campaign without demoralization. Last year I had a rough time. Business is very dull and there is much suffering in the City—not more however, than has often existed heretofore.

Yours George

James Denison

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Custom House N. O. May 3rd 1865.

My Dear Sister

My successor in office is appointed & I expect to vacate about the first of June or sooner. I leave regretted by all or nearly all business men of this City & Country. I intend to live here in this vicinity. My removal is not for cause, for the Secretary regards me as a good officer, but for state reasons and political & personal relations. As I never asked for office I can leave it without much regret. I have held the Office of Collector for one term & that is as long as a man ever stays in. Don't regard my replacement as a calamity or a humiliation, for it is neither.

I now feel little or no doubt that I shall go North in June or July and perhaps stay there for two or three months. I have earned a vacation from labor & mean to take it.

I should be much pleased if Mother would go to the Fair at Chicago, but for myself decline to be there at that time. Any other time would be preferable. Don't calculate on my coming after mother or "doing any other one of the thousand pleasant things I am so fond of doing." I never do pleasant things at the suggestion or expectation of any body but myself. If I spend two or three months at the North, I shall try to come to Chicago.

The great excitement of the past few weeks, arising from victories in the field, followed by the death of the President, put me out of the way of writing—else I should have written you sooner. Love to Lucy & to all.

Yours George.

Mrs. E. D. Jameson

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United States Custom House, Collector's Office,  
New Orleans, 6 May 1865

*"Copy" Private*

Honorable Hugh McCullouch,<sup>74</sup>  
Secretary of the Treasury U. S. Washington D. C.

Sir,

It appears to me that a crisis has arrived in the political affairs of this State of which it is my duty to inform you. Therefore although personally unknown to you I take the liberty of writing to you a private letter, in the subject matter of which I have no personal interest whatever.

You have been doubtless fully informed of the status and details of the reorganization of the Treasury of Louisiana up to a late date. Quite recently by his election to the United States Senate Governor Hahn ceasing to be Governor, Governor Wells then Lt Governor succeeded him. Governor Wells was the candidate on all tickets for his Office an old planter with political affinities not clearly defined or understood. Upon his accession to the office the policy of the State Government was at once and entirely changed in reference to appointments. All or nearly all of the Old State Officers have been changed and those men are now in Office, placed there by Governor Wells, who almost without exception have never been in favor of the Free State Movement or Government and who have never been in sympathy with the policy or views of the Administration and in some cases have been clearly imbued with Southern ideas and the Southern people. The

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<sup>74</sup> Hugh McCulloch was born in Maine, December 7, 1807, and died near Washington, May 24, 1895. He studied at Bowdoin, but did not graduate on account of his health, and after teaching he studied law and then located in Fort Wayne, Indiana. From 1833 to 1835 he was cashier and manager of the Fort Wayne branch of the United States Bank, and in 1836, at the expiration of the charter of the United States Bank, he was elected president of the Bank of Indiana, which position he held until May, 1863. He then became Comptroller of the Treasury of the United States, remaining in that position until he was appointed Secretary of the Treasury in March, 1865. He retained this position until March 4, 1869, and did wonderful work in the office; was a banker in London from 1871 to 1878; Secretary of the Treasury, October, 1884 to March 4, 1885; and spent the remainder of his life in retirement, engaged in writing.—Appleton's *Cyclopedia of American Biography*, IV, 98.

present State Government, of Governor Wells formation at this moment is composed of or controlled by men who were never known as friends of the Union and the Government, or of any policy of the Administration for the past four years, at all events this is true of all the Union Officials.

The reason for this course and for this condition of things is that the Governor belonging entirely to what is known as the planting interest with whom he has been so long connected, and from whom he never has broken away, and not being as this class has never been in sympathy with the original Union men, desired to form a party that should support him, and thus would to a great degree strengthen him and consolidate his power—

This was therefore the condition of affairs here upon the arrival of General Banks who immediately comprehended the situation appreciated its importance and saw the necessity for instant action, and as I understand it undertook by the action he had taken to at once counteract its injurious effects. In consequence a rupture has occurred the details of which I do not deem it necessary to give you here thinking as I do that technical points and questions are of little consequence as compared with the policy and general principles that are involved, and therefore will only state, that the particular issue to which the matter is brought is the removal of the Mayor of this City, an appointee of Gov. Wells<sup>75</sup> who himself had removed without cause and with no reasons assigned therefor an officer appointed by General Banks and who had been retained by Governor Hahn,<sup>76</sup> and this new mayor had also in nearly all cases removed all or nearly all

<sup>75</sup> James Madison Wells was born in Louisiana, but spent most of his early life in Washington, D. C. and Kentucky. He was a cotton and sugar planter in Louisiana; served as sheriff in 1840; was elected lieutenant governor on the Hahn ticket in 1864; and became Governor of Louisiana when Hahn resigned, being a member of the National Democratic party; and under his administration the thirteenth amendment to the Constitution was ratified, with the proviso that it conferred no right to legislate on the civil relations of the Negroes. Sanctioned by the governor and a judge of the supreme court, the convention which had made the constitution of 1864 reassembled in July, 1866, which resulted in the New Orleans riot, in which 38 were killed and 146 wounded. On June 3, 1867, General Sheridan removed Wells, partially over money matters, and for impeding the acts of Congress. He refused to turn over the office to Benjamin F. Flanders, but later complied rather than be forcibly ejected. President Grant appointed him surveyor of the port of New Orleans, which office he also held under Hayes. He was president of the returning board of 1876, which gave the state to Hayes over Tilden.—*National Cyclopaedia of American Biography*, X, 79-80.

<sup>76</sup> Michael Hahn was born in Bavaria, November 24, 1830, and died in Washington, March 15, 1886. His parents moved to New York when he was an infant and then to New Orleans the next year. He was an anti-slavery Democrat, and was on a committee to canvass the state against secession, 1860-1861. He did all he could to prevent secession; took the oath of allegiance to the Union, April 25, 1862; was a Representative from Louisiana in Congress from February 17 to March 3, 1863; became governor of Louisiana in March, 1864; was appointed military governor of Louisiana by Lincoln. He was elected United States Senator, but he did not press his claims; was wounded in 1866; was a leading Republican in New Orleans during the first years of Reconstruction; but in 1871 he moved to his sugar plantation and established the village of Hahnville. He served in the legislature, 1872-1876; was district judge, 1879-1885; and was elected to Congress in 1885.—*Appleton's Cyclopaedia of American Biography*, II, 27.

of the city officials in the manner and placing in power the class of men heretofore mentioned.

This matter assumes consequence because the struggle has just commenced or is about to commence in the reorganization of the Southern States between on the one hand the union men of these States reinforced and aided by those recently settled here from the West and North who represent and always adopt and support the policy and ideas of the administration, and on the other hand that class of politicians who have heretofore controlled the local politics of these Southern States. The first class are the ones who are the merchants and business men here in the Southwest and who pay the larger revenues of the Government. The latter are those who either by active aid or support or else by consent and silent countenance did much to bring about and keep the national troubles of the past four years. I have lived here in the extreme Southwest for eleven years have had good opportunities for observation have studied the whole matter and it really seems to me of the utmost vital importance that the former class should be upheld and supported by the government, among this class without there are some men against whom there is good ground for individual objection, but I cannot see that individual objections should effect, or have weight against principles or a general policy. With the aid and assistance of the former the ideas and policy of the administration and the government will be attended here with success, with the latter with failure. I have thus briefly and in general terms stated the case. If you should have any voice in determining the issues of Governor Well's mission, and the foregoing statement of facts is of any use to you, the object of this communication will have thus been achieved.

I have the honor to be, With great respect,

Your most obdt Servant,

(Signed) George S. Denison

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Custom House, New Orleans,  
Collector's Office June 2nd 1865.

My Dear Uncle—

I have written home quite negligently of late, for the reason that I have been a little uncertain of my probable status. I am

now well assured that my successor<sup>77</sup> is on the way, and he may be here any day. On his arrival I shall be relieved. I shall remain here a month or so, after getting out of office, to square up unfinished business and then shall go home sometime in July, probably towards the close of the month. After a sufficient visit home I shall return here and go into business. I do not know exactly what to do, for I have so many good chances that it is difficult to choose. Between ourselves, I am tendered the Presidency of the National Insurance Company, which would be as good a place as the one I now hold, but I have not certainly decided what to do about it.

Mr. Chase arrived at Mobile today. He will be here very soon, and perhaps something he may say will determine my mind as to my own course.

I am in the plantation business again—with two partners. We are working three large plantations and have 300 acres cotton, 500 acres corn, and 800 acres of very fine sugar cane—probably the best cane in the State. Cane (sugar) is the only sure crop in this State, & without some unprecedented infliction of Providence, we shall make a very fine thing out of it. We expect to make at least 600 hogsheads sugar & 1200 bbls molasses.

Gen. Phil Sheridan arrived here today, & I understand, has already assumed command. He has command of a very large extent of Country.

As you already know, Kirby Smith has surrendered the whole Country west of the Mississippi, including Texas. A Garrison has already been sent to Shreveport, and one will soon be sent to Galveston. The whole State of Texas will be occupied by our troops as soon as it conveniently can be, & garrisons will be sent to all important points in that State. San Antonio will of course

<sup>77</sup> William Pitt Kellogg was born in Orwell, Vermont, December 8, 1831; moved to Illinois in 1848; studied law and was admitted to the bar in 1854; was a delegate to the Republican national conventions of 1856 and 1860, and was a presidential elector in those years. He became chief justice of Nebraska in 1861, but resigned the same year to enter the army as an Illinois cavalry colonel; resigned from the army on account of his health; was appointed collector of customs at New Orleans in April, 1865; was United States Senator from Louisiana, 1868-1871; and was the Republican nominee for governor in 1872. John McEnery was counted in, but Kellogg took out an injunction against him which was sustained by Edward H. Durell. The state then had two governors and two legislatures. On January 14, 1873, a Congressional committee, after an investigation, advised holding a new election, but the bill to that effect was lost, and the administration recognized the Kellogg government, and then the opposition appealed to arms. Kellogg fled to the customhouse on September 20, 1873, and after Grant sent troops he was re-established in office. In 1875 a second investigation was made with the result that Kellogg was recognized, but a compromise legislature was approved. On February 25, 1876, he was impeached, but the senate dismissed the charges. Kellogg was then sent to the United States Congress and seated by that body on November 30, 1877. He was a Representative in Congress from 1883 to 1885.—Appleton's *Cyclopaedia of American Biography*, III, 507.

be occupied. How long it will be before a garrison is sent to San Antonio, I cannot tell, but of course it will not be long. Uncle Jim can then go back if he wants to, as he probably will.

As for me, I have had enough of Texas and intend to live in Louisiana, which I like very much, & where one is not entirely out of the world. I wouldn't go back to Texas, unless to the planting region for a year or so, with prospects of great pecuniary gain—& of that there is not much probability.

If the internal Revenue assessor wants any thing to do with my possessions in Vermont, please accommodate him. I believe I have nothing there subject to Int. Rev. Tax, except some silver ware and perhaps a watch.

There are several thousand paroled confederate prisoners in this City. They are very quiet and seem subjugated. The Secesh here & especially the women, pay them great attention. I think we are going to have great trouble during the next four years, & I see signs of it every day. There will be continual and bitter antagonisms between the Rebs on the one hand, and the Northern & Union men on the other. Eventually we shall lick them in business, politically & socially, but it will be a hard fight. I think Mr. Johnson less wise than Mr. Lincoln. We are going to have a great struggle in regard to negro suffrage.

I have not seen Gen. Sheridan yet, but perhaps shall call on him in a day or two—that is, if I do not go to Mobile tomorrow, to meet Mr. Chase, of which there is some probability.

Texas is the only Southern State more prosperous than before the War. The population is largely increased, its only money for the last two years have been gold and silver, and they have sold their cotton & brought in goods through Mexico. Probably Uncle Jim will want to go back as soon as he hears of the occupation of the State by our troops. I have not heard from them recently.

The weather is hot and very dry. Four or five weeks in the Green Mountains will be very pleasant this summer.

Love to all. You need not make the whole of this letter common to all the family. Yours

George

Hon. D. C. Denison

United States Custom House, Collector's Office,  
New Orleans, June 23rd 1865.

My Dear Brother

I received your letter of May 18th, and have not replied to it, because I have not been writing letters lately. It is very disagreeable to write letters when as to yourself you are quite uncertain what is to happen, & what you are going to do. Now however, I am freed from any such disagreeable circumstances, for I know perfectly what I am going to do.

My successor, Mr. Kellogg arrived here a few days ago. I find him a right good fellow, about 35 years of age—now a citizen of Illinois, but formerly of Montpelier, Vermont where he was born.

I go out of office tomorrow (Saturday) night. I shall necessarily remain here until the 12th or 15th of July to settle up my accounts and fix up all my business, and then I shall start for the North. I shall go to Washington, to have my accounts fixed I shall stay there perhaps a week—& perhaps only a day or two, & after finishing all that business up, I shall go home as fast as possible.

I shall remain at home—*thar* or *tharabout*—until the first of Sept, when I come back to this City, and enter on my new business, which I have made all arrangements for.

I would like to show you a stalk of sugar cane now lying on my table right in front of me. It is when stretched out, nearly eight feet long which is very remarkable for this season of the year—and it came from one of the plantations, of which I am joint lessee with two other gentlemen.

It is very hot & I am tired—and am glad to get North—and not sorry to be no longer an office holder.

Give my love to all at home  
James Denison

Yours George

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New Orleans Oct 9th/ 65

My Dear Sister,

I arrived here a week ago yesterday, just seven days from Chicago, having been obliged to remain one whole day in the interesting town of Cairo, waiting for a steamer. I felt homesick after leaving you and have just got over it.

I found here waiting for me a Commission making me Supervising Special Agent of the Treasury Department for the State of Texas. After consideration, I accepted it, have made all preparations & start for Texas tonight. It is a temporary thing & will occupy three or four months. I shall remain in Galveston and Houston & probably shall not go at all to the Western part of the State.

This thing came to me without any solicitation, & was even urged upon me. It is complimentary of course, but will involve hard work & good pay. I shall do my level best, as usual.

I am afraid Brother John thinks I am a tremendous "blower", and so I am but I didn't mean he should find it out, & the thought troubled me all the way down to Cairo. If you can fix it, & make Jim think I am a modest unassuming young man, I wish you would, but fear it is impossible. I remember even now that I spent much time while at your house in talking of myself & exploits, & I have been ashamed of it ever since.

I shall return to New Orleans to reside there, in three or four months. My address is New Orleans Care First National Bank—The letter will be forwarded to me. Please write.

I love you & had a happy time at your house. My love to Lucy, John, Mary, & Mr. Hibbard.

I write in haste. Good bye & God bless you

Your loving brother George S. Denison

Mrs. E. D. Jameson

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Special Agency Treasury Department,  
Galveston, Texas, Nov. 1st 1865.

My Dear Sister

I arrived here two weeks ago and since that time, have worked some, idled some, & been lonely & miserable a great deal. When I first land on these shores, I didn't say in historic style, "Me foot is on me native heath, and me name is MacGr-r-r-eg-g-g-gor-r-r"—Not much, I didn't, but I felt how sorry I was that I had come at all & what a remarkably good place Texas must be to go away from.

It seems very different from what it used to seem. The men are rough & ignorant & brutal, & the softer sex are no better. But don't they think themselves nice people, though! They really

believe that they possess a little more elegance refinement, courage, honor, & culture, than any people in the whole beautiful Confederacy. And now I'll just own up, that I used to think the same thing. I didn't see how boorish & brutal & barbarous the men were, nor how scraggy & ugly & vulgar were the women. I place my mouth in the dust, & cry out that I was mistaken.

If a kind & beneficent Providence will permit me to get out of this Country in 90 days, I'll agree never to set foot in it again.

Perhaps I shall go up to San Antonio before going back to New Orleans. I wish to converse for a few moments with some of those Secession Gentlemen who gave me trouble four years ago, & see them fawn & cringe, as all the cursed scoundrels will.

By the way Alice Denison (of San Antonio) is engaged to be married. Her lover so bold & so true, was in town the other day & we become bosom friends for life. For Texas, he is a pretty good fellow—and is a native of Virginia. He was a little sick, & I prevailed on him to take a large dose of my cholera medicine, composed principally of red pepper. He took it, & could not speak for ten minutes, nor until he drank a pitcher of cold water. I believe he felt better after it stopped hurting him. He is my friend, & what shall I not do for a friend who is going to marry into the family.

I notice however that he didn't care to take a vial of the medicine along with him.

I really do hope, dear sister, that you are getting along well and are to get along well. Let some body write & tell me.

Love to John, & Lucy, & Little Mary.

Your Affectionate Brother

George.

Mrs. E. D. Jameson

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Special Agency Treasury Department,  
Galveston, Texas, Nov. 1st 1865.

My Dear Mother

Thinking you might suppose that I was never more to communicate with you because I have come so far away from Civilization, I just take a few minutes to send you word that I am still in the land of the living (officially & unofficially) and (to use a family phrase) am doing as well as could be expected.

I arrived here two weeks ago, & here I have been ever since an unhappy mortal. Forced from home & all its pleasures, I am exiled to this unhospitable shore.

Texas don't seem to me as it used to. The men are coarse rude & vulgar, & the women are rough & ugly as a hedge fence. People don't live here—they only stay. They live the life of Arabs—except that Arabs have, I suppose, some sense of honor & honesty. And yet these coarse people really think themselves the salt of the earth. That whatever of refinement & culture and honor & chivalry there is in the world—that they possess. The men are the noblest and bravest, the women the most beautiful & interesting in the U. S.—I have been up at Houston twice. Two of our best citizens had a difficulty up there a few days ago. They walked about town all day with their hands on their cocked pistols (I really suspect each was trying to avoid the other) until they met by chance, & the smarter scoundrel perforated the person of the other with a bullet. The perforated person might aptly have used the words of one of *Watts' & Select* hymns, “*A charge to keep I have,*” but he died before he could make the quotation. I am glad of it for he was a bad man, & besides my sympathies are always with the survivor. That is the style here. I wish both had been killed & the world relieved of two instead of one.

This is the meanest country in the world. If I get out of it all right, I will agree never to set foot in it again. I can't see what God made it for—perhaps as a receptacle for the worst people in the world. How I want to get back to Louisiana—where I shall be in a few weeks. Love to all. Write

Yours

Mrs. E. S. Denison

George

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*Copy Office Supervising Sp. Agent, Texas Dept. Fourth Agency,  
Galveston, Texas, Nov. 18th 1865.*

Sir—

In conformity with the 8th clause of the circular letter of the Secretary of the Treasury, dated August 18th, 1865, I have to report the following case of cotton detained & released. Previous to my appointment as Supt. Sp. Agent 819 Bales of cotton marked E. & D. was detained here as cotton belonging to the State of

Louisiana, by Col. Wm. Polk,<sup>78</sup> the agent of said State acting under authority from Gov. Wells. Col. Polk was also acting at the same time as *Agent of the Treasury Dept.*, under authority from Mr. O. N. Cutler at New Orleans.

After some delay the whole evidence was placed before me. The cotton had been detained by Louisiana State Agent, because it was alleged to have been sold to the Rebel Government of Louisiana.

Elder & Dreyfus the owners of said cotton stated, & by sufficient evidence proved the following facts. Previous to the Rebel surrender the Rebel General Kirby Smith was seizing cotton for the Confederacy. Elder & Dreyfus, Merchants, in their own right, and Elder as Executor of an Estate, owned several hundred bales of cotton, which had never belonged to the Rebel Gov't, or to any Rebel State.

To save it from seizure & to get it to market, they made a contract with the Rebel Governor Allen<sup>79</sup> of Louisiana, by which arrangement he would protect said cotton, as if the property of the State of Louisiana, and thus enable them to transport it to Matamoras. They were so to transport it, themselves paying all expenses thereon and when it should reach Matamoras, they were to sell the same—and all they should receive for the same over & above twenty three cents per pound in gold, they were to give to Gov. Allen for his protection and assistance.

Shortly after, difficulties arising between Gov. Allen and the so-called Confederate Authorities, concerning this & similar

<sup>78</sup> William Mecklenburg Polk was born in Tennessee, August 15, 1844; graduated at Virginia Military Institute, July 4, 1864, and at New York College of Physicians and Surgeons in 1869; enlisted in the Confederate army in April, 1861, as a cadet of Virginia Military Institute; became first lieutenant in 1862; assistant chief of artillery in 1863; captain and adjutant-general in inspector's office in March, 1863; and practiced medicine in New York after 1869. He was professor of medicine in Bellevue College, 1875-1879; and then professor in New York University, which position he was still holding in 1888. He was also a noted writer.—Appleton's *Cyclopaedia of American Biography*, V, 57-58.

<sup>79</sup> Henry Watkins Allen was born in Virginia, April 29, 1820, and died in the City of Mexico, April 22, 1866. He was taken to Missouri when a boy and placed in a shop, but he detested it so much that he was placed in Marion College. He left home on account of a dispute with his father; went to Mississippi where he tutored privately, and then opened a school at Grand Gulf, Mississippi; and studied law on the side. In 1842 he and his brother went to Texas to help fight Mexico; was elected to the Mississippi legislature in 1846; spent some time in Texas after the death of his wife; and then settled on a sugar plantation in West Baton Rouge, Louisiana. In 1859 he crossed to Europe to help Italy gain her independence and complete her unification, but he arrived too late. He was elected to the Louisiana legislature in his absence. In 1861 he went to Cuba, but hurried back to enter the army. He soon rose to lieutenant-colonel and then was made military governor of Jackson, Mississippi. He took part in the battle of Shiloh; was wounded in the leg in the battle of Baton Rouge, but was soon back in the field and elevated to the rank of brigadier-general; and was sent to Texas and the Mississippi Department. On January 25, 1864, he was elected Governor, and inaugurated at Shreveport, which position he retained until June 2, 1865. Soon after his official period he went to Mexico City, where with great ability he edited the *Mexican Times*. He refused to run for office the second time; and after his death in Mexico his body was returned to Louisiana for interment.—National *Cyclopaedia of American Biography*, X, 78-79.

arrangements Allen annulled such contracts, & informed Elder & Dreyfus thereof—that he could no longer protect their cotton & they must take care of it. Elder & Dreyfus then brought the cotton to Galveston where it was detained as aforesaid.

Seeing that this contract, existing but a short time, was annulled long previous to the surrender, by the same partners who made it—was upon conditions, which conditions failing it fell to the ground any way—that no consideration was ever paid, & no cotton delivered nor placed on any records as Louisiana property—I decided that I had no claim thereon as Agent of the Gov't.—and not wishing a controversy with the Authorities of La.—I left the cotton undisturbed under the detention of the Louisiana State Agent.

A precisely similar case of more than 200 Bales had been presented to Gov. Wells who released the same Oct. 18th, on the opinion of the Attorney General of La. Col. Polk has subsequently informed me that he relinquished to Elder & Dreyfus their cotton, following I suppose Gov. Well's precedent.

I have the honor to be Very Respectfully

Your Ob't Serv't

(Signed) George S. Denison  
Supt. Sp. Agent Treas. Dept. Fourth Agency

Hon Hugh McCulloch  
Secretary of the Treasury  
Washington D. C.

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To his Excellency A. Lincoln  
President of the United States.

Sir,

The undersigned are advised that a large number of persons are within the Rebel lines, who have Cotton, Sugar and other stores which they have been, and are concealing from the Rebel Authorities as confiscable property. That these parties are anxious to place these supplies within the United States military lines—not only as place of safety, but to secure for their families a means of support, and a means of satisfying their debts to

Loyal Union Citizens. Many of these parties desire to leave the so-called Confederacy, as soon as they can place their property—on which they depend—in a place of safety.

They do not ask to have the proceeds of their property returned in supplies, but are willing to invest the net proceeds—less the current Government dues, and the expenses attending the getting to market, and selling—in United States Bonds.

They have designated George B. Waldron of New York—Capts. I Wright<sup>so</sup> of Cincinnati and Charles K Hawkes of New York as Loyal Union Citizens to whom they will consign their property, and who shall invest the proceeds as above, and in whom they and the Government can confide. We believe that if authority be given as above requested, that the result will be of advantage to the government—to exhaust the supplies of the Rebel Government—to cause to be organized within the rebel lines—citizens whose interests and desires will be to restore the authority of the Government.

We therefore urgently recommend that the authority be given to the above George B. Waldron, Capts I Wright, and Charles K. Hawkes to receive from within the Rebel lines—at such points as may be designated—such Cotton, Sugar, and other Stores, as it may be desired to carry within the United States Military lines for sale, and to invest the proceeds—less the expenses—in Government securities; that protection be afforded by the Military and Naval Authorities—unless there be imperative Military objections at the time.

(Signed) John Hutchins

Geo. S. Denison

I approve and recommend the above plan provided the holders of the Bonds shall deposit fifty per cent thereof, with the Treasurer of the United States, until the close of the war.

(Signed) Benj F. Flanders.

<sup>so</sup> Irvin B. Wright of Indiana became a private in B twentieth Ohio infantry, May 14 to June 1, 1861; second lieutenant in eleventh United States infantry, February 19, 1862; first lieutenant, December 15, 1862; and was transferred to the twentieth infantry, September 21, 1866. He was brevetted captain, July 2, 1863, for gallantry and meritorious services at the battle of Gettysburg, and he resigned, November 1, 1866.—Heitman, *Officers of the United States Army*, 1062.

Office Supt Spe. Agent Treasury 4th Agency

Galveston, Texas Jany 3/66—

Sir

My Resignation as Supr Spe Agent 4th. Agency takes effect today, and my Successor has not yet arrived—As henceforth I have no Official Authority, you will not hereafter act as my Deputy nor sign your name as such—Your appointment as Assistant Spe. Agent, approved by the Secretary, still holds however, and you will of course remain here in the discharge of your duties as such Asst. Spe. Agent, until the arrival of my Successor, who can then assign you to duty here or elsewhere—

On the arrival of my successor please receive from him full receipts in triplicate for Office furniture, Stationary Books &C and all property on hand at this date and forward said receipts to me at New Orleans

Very Respectfully &C

G. A. Hall Esq  
Asst Spe Agt  
Galveston—

George S. Denison  
Supr Sp Agt 4th Agency

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New Orleans, Jan. 14th, 1866.

My Dear Mother

Your letter dated (I believe) Jan. 2nd, was rec'd by me yesterday morning. I arrived here the preceding night from Galveston.

I am out of office & out of Texas for all time, I hope. It will take a few days to square up all my official business—& then my career as a U. S. Official will have closed I hope forever.

During my last sojourn in Texas, I visted San Antonio, & had a very pleasant time there. Even the worst secessionists pretended to be glad to see me, and people who four years ago, would not have regretted to see me hanged as a "traitor" to the South, could not now repress spontaneous & gushing friendliness. So much is affected by a reputation of prosperity. Probably I was able properly to estimate their professions.

I found Uncle Jim's family getting along very well. They take boarders who are all Federal Officers, & there are six or eight there. Alice has grown to be a beautiful and very interesting young lady. She knows German about as well as English,

& also speaks French & Spanish. I staid in San Antonio five days, stopping at the house of my old friend Mr. Eagar. I saw Sam Maverick, the brother of Lewis, but did not see Lewis himself, who has settled somewhere up the country with his wife, and has gone into the saw-mill business.

On my return here I found good and interesting letters from Susy, Frank, Charley & Jimmy, to all of I shall reply soon.

Plantations are going on tolerably well. After a little while I will write you again, and let you know exactly what I am going to do, for having just returned, I am in a little uncertainty. Perhaps I shall make an arrangement for the purchase of a plantation & go & live thereon. Love to all.

Your Affectionate Son

Mrs. E. S. Denison  
Royalton Vermont

George S. Denison

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New Orleans, Jan. 14th, 66.

Dear Jimmy—

Your last letter came to hand yesterday. I had returned the day before from Texas, having resigned my offices there, and now hold official station no longer. It is a subject deserving congratulation.

I went up to San Antonio during my last trip to Texas, and had a pleasant time there—that is—rather a pleasant time. The hot secessionists of four years ago, are as mild and gentle now as sucking doves, and men who would have thought me a “traitor” worthy of condign punishment, were now gushing in their manifestations of friendship.

I like Texas less than any place in the United States except perhaps Florida. It is naturally a rich and beautiful country—but is settled up by people who will always be rude and violent & savage. I do not think I shall ever willingly go there again.

I am glad to read what you say about little Ned—that he is strong & healthy & has commenced to walk. I try sometimes to think how he used to look—and strange to say—am quite unable to call back a definite impression of his appearance. I don’t mean a general impression but the exact impression. You must send me a picture of him whenever you have one taken.

The weather is wet and disagreeable and I feel rather lonely since my return. People in a city soon forget you unless you remind them constantly of your existence by your presence.

I did not start to write you now anything more than a note. By and by when I get settled down you shall have a long letter.

Love to Lizzie, & my respect to Mr. Gallaudet & family

Your Loving Brother

James Denison

George.

New Orleans Feb. 17th 1866.

My Dear Jimmy

It seems to me I wrote you a little while ago—but whether I did, or did not, I have a perfect right to give you another letter & am going to do it.

I have been up in Tennessee since you heard from me. I went to Memphis via the Jackson R. R. which took me through the whole length of Mississippi, so that I had a good opportunity to see the country. I saw it. Its a great Country. As to the amount of loyalty & love for the old flag, & all that sort of stuff, if there is anything of the kind in that large & interesting State, I did not see it. However, in a general way, I don't hesitate to say that we are all loyal citizens, and are very anxious indeed to be conciliated & re-constructed. But I am very much afraid we shall not be.

Your brother George.

James Denison

New Orleans, March 19th, 1866.

My Dear Mother

Your letter of the 5th inst. reached me two or three days ago, & I was glad to get it. I think Susy did much the best way in going to Mrs. Williards.<sup>81</sup> I cared more about her going *somewhere*, than to what particular place she might go—but she has probably gone to the best place. She has written twice to me from Troy, & seems to be getting along very well. Frank has also

<sup>81</sup> Emma Willard was born in Connecticut, February 23, 1787, and died in Troy, New York, April 15, 1870. She began teaching at the age of sixteen, and, after teaching at various places, she opened up a boarding school for girls at Middlebury, Vermont, in 1814. She opened a school at Waterford, New York, in 1819, and two years later opened the Troy Female Seminary at Troy, New York. Her husband died in 1825 and for years she was the sole supervisor, but in 1838 she let her son take charge of the school. She was married again, but was divorced. She resided at Troy where she wrote and directed the publication of many school and other books.—Appleton's *Cyclopaedia of American Biography*, VI, 513.

written me just before he went back to Cambridge & I have replied to him.

You express a wish to "look in upon me in my plantation home" &c. If I have any plantation home, or any other home, out of Vermont, I don't know it. I'm a wayfarer & a pilgrim without local habitation—& I am very tired of it. Next year I mean to have a place which shall be my own exclusively and permanently. I intend to buy a plantation & be something more than a mere lessee.

I don't have anything to do with politics, & I think & talk on those subjects very little. My opinion of Mr. Johnson has not recently changed, except that I respect his ability less than formerly. He is a demagogue & vulgarian—always was & always will be.

We have had an election for Mayor of this City, but I did not take the trouble to vote. Monroe, who was Mayor when Butler took the City, was the successful Candidate, & is inaugurated today. He is secesh, of course. There is considerable bitterness of feeling in most parts of the South, because the pledges given them by Andy Johnson, have not been kept. They say that is the reason, but I expect they would feel bitter anyhow. It will be a long long time before good-feeling & harmony prevail, & I have not sufficient wisdom to foresee how the thing is to terminate nor by what means a settlement can be brought about. Let me make good crops of sugar & cotton, & for myself I ask little more.

Give my love to all the folks at both houses. Tell Willie to be a good boy & learn much.

Your Loving Son

George S. Denison

Mrs. E. S. Denison  
Royalton Vt.

New Orleans April 24th 1866.

My Dear Mother

Your letter of April 9th came to hand two or three days ago. I am very glad you attended to those letters,<sup>82</sup> & shall expect to receive them before many weeks. I shall get one of them for

<sup>82</sup>He refers to a large box of old Revolutionary letters which he had found among waste paper and sent home two years before. He later learned that they belonged to Mr. P. H. Skipwith, a descendant of General Greene, and he now asked for their return so that he could restore them to their owner.—George S. Denison to his mother, March 19, 1866, in Denison Papers, Library of Congress.

you if I can. I hope Uncle Dud will be sure to take a receipt from the Express for them & send it to me.

I have been spending some time on the Sugar plantations below the City, & didn't enjoy it. What legions, what myriads of mosquitoes? And they will bite through tolerably thick clothes, & easily through buckskin gloves. I stood it until my fortitude & patience were exhausted & then came up to town. Gen. Lee has now gone down there.

We have been particularly favored on all our plantations. We have no trouble with labor, our work is far advanced, the crops look beautifully & promise well, & we have met with no misfortune. Thousands of people in Louisiana have been ruined by overflow. Crevasses have occurred in great number. Some have lost great numbers of mules by epidemic disease, & some have trouble with labor. But thus far we are prospered in everything, and the danger of misfortune decreases daily. If we do not have Cholera as an epidemic, we shall do very well indeed. I shall probably go to Alabama next week to the *Buena Vista* plantation, where we are raising 1100 acres of Cotton. It is on the Tombigbee River, 100 miles above Mobile. We bought one plantation there, & have leased another for five years—beautiful places. We carry on six plantations—have 250 working hands—150 mules—cultivate 3500 acres, of which 2400 acres are cotton, 900 in Sugar cane, & 200 in corn.

I intended to come home this Summer, but am not absolutely certain about it. Nor do I know when I shall go, if I do go.

My love to Willie and all at home. I hear from everybody but Clara has not written me for some time.

Your Loving Son

George.

Mrs. E. S. Denison

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New Orleans May 24th 1866.

My Dear Brother Jimmy

Your letter written just a month ago today reached me in due time—I also rec'd the paper you sent me containing that article about Mr. Gallaudet's victory in the church business. Such

letters hurt nobody but rather are a benefit. I am glad Mr. Gallaudet cleaned them out.

Do you correspond for a paper in Boston? I lately saw an extract in the "Times" (N. O.) from a Washington correspondent of some Boston Paper, signed "Philip", & I thought it must be you.

I don't have much to say about politics now. Things seem to be at a dead lock anyhow, and as very few of my planting friends agree with my opinions, I don't think it worth while to have controversies. An officer of the army told me the other day that Sheridan said—"That man Johnson is nothing but a damned old drunken tailor any how, & I'll say no more about him." Don't repeat that, for probably Sheridan didn't say it for public edification, and perhaps the officer who told me wouldn't care about giving it much publicity.

I have just come back from our Sugar plantations. We have got the best cane in the State & hope to make the best crop. Everything is looking finely & prosperously. I begin to feel quite sure we shall not have the Cholera till next winter at any rate, & before that time we shall be ready & prepared for it.

I am glad you are going home this Summer. If I am able to get there I shall. I hope you will ask Mr. Gallaudet to pay us another visit this year. I like him & hope he will come.

Kiss Ned for me. I wish I had 100 boys just like him. Love to Sister Lizzie. Write to me Jimmy as often as you can.

Your brother—George

Address Geo. S. Denison Lock Box 805  
New Orleans La.

Mr. James Denison Washington

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New Orleans June 21st 1866.

My Dear Mother

Your letter of the 14th inst. has just reached me. I ought to have written you some days ago, but for various trivial reasons, did not do it. I meant to inform you as soon as anyone of my intended visit to the North this Summer, of which you probably already aware from previous letters to others.

I shall leave here about the twentieth of July for the North. The date of my departure is a little uncertain, but I am going home *sure*,—& suppose you are glad of it.

Tomorrow I go to Mobile & thence up the Tombigbee River to our plantation. I shall be absent from here a week or ten days.

I haven't attended to that matter of subscription to the Academy, because I have never happened to think of it at the right time. I will try to see Mr. Fellows today or tomorrow. I did not want to send my own little contribution without endeavoring to add something from him.

I am very sorry to learn of Sister Alice's continued sickness. I wrote to her a day or two ago, under the impression that her recovery was complete.

Frank's letter I was very glad to get. He evidently is in much better spirits.

You need not send Willie's picture as I shall be at home in so short a time.

*All our* crops are promising and some are very fine. We have not much to fear now but cholera, & I don't expect that here till next Winter—Perhaps not till much later.

Love to all Your Loving Son Geo. S. Denison

Mrs. E. S. Denison

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Steamer Monterey

Off Fortress Monroe,

August 25, 1866.

Mrs. E. S. Denison,

Dear Madam,

Before this shall have reached you, you will have heard the sad news of the death of your Son, Mr. Geo. S. Denison, which took place yesterday at Four and one half P. M.

As fellow passengers of his, we desire to express our deep sympathy for you in this great affliction—at the same time we desire to assure you, that he had every attention and aid, which it was possible to give him. The Captain, the Officers and every one attached to the Ship seemed determined to do all in their

power to render him comfortable. Mrs. Dean never left him day or night—, such tender devotion has rarely ever been seen, as she gave to your Son. All the watchful care and gentle nursing could give him he had. It seemed impossible to bring his remains home, and yesterday as the sun was sinking below the horizon we committed his body to Sea, the Captain saying over him the prayer of that church which he so much loved.

Trusting that the Great Giver of all will strengthen and sustain you in this great trial We are Madam

Respectfully & kindly Yours

(Signed by sixteen people including Mr. Coppell,  
the British Vice Consul at New Orleans.)

Mrs. E. S. Denison  
Royalton, Vermont.

## CHRIST CHURCH AND GENERAL BUTLER

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*Edited by JOHN S. KENDALL*

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### INTRODUCTION

The following pages are copied from a manuscript now in the Tulane University Library, in New Orleans. It was presented to the University by the heirs of the late B. M. Harrod, a distinguished engineer, whose home was in New Orleans. He was the son of Charles L. Harrod, the writer of the manuscript. The circumstances to which Mr. Harrod alludes in his manuscript are, briefly, these: Chubbock, who was a chaplain in the United States army, and a personal friend of Mrs. Benjamin F. Butler, borrowed the silver service used at Christ Church (in New Orleans), in connection with the work of the church, and Mr. Harrod made repeated but unsuccessful efforts to obtain its return. In order to retain in memory the data which might become useful, should a resort to law be undertaken to procure restitution of the borrowed silverware, Mr. Harrod jotted down from day to day the memoranda herewith reproduced. These notes constitute an interesting record of an incident characteristic of the manner in which private property was taken over, during the occupation of New Orleans in 1862.

The *Quarterly* is indebted to Mrs. Ruth Moore, of the staff of the Tulane University, for a transcript of this document.

### TEXT OF THE MANUSCRIPT

October 31st 1862 About 10 o'clock A. M. this day I was called upon by a Mr. Chubbock (so he called his name) who produc'd and handed me the following order from Genl. Butler, ordering me to deliver up the keys of Christ Church to Rev. Mr. Chubbock which I did taking his receipt therefor—as follows

Headquarters Dept. of the Gulf  
New Orleans October 31, 1862

Mr. C. L. Harrod Senior warden of Christ Church,  
Canal Street will please deliver the keys of that church to  
Rev. F. E. R. Chubbock Post Chaplain—By command of

Maj. Genl. Butler  
Genl. C. Strong—A. A. Genl.

Indors'd New Orleans Oct. 31st 1862 Rec'd from Mr.  
Charles Harrod the keys refer'd to in this order

(Signed) F. E. R. Chubbock  
Post Chaplain New Orleans

At this interview he said "he hop'd I would consent to him the use of the Church plate, for use on Communion Sunday, and they would send for it as it might be requir'd, and after using it, return it to me." I said I would consult the vestry, and give him an answer next week. He further said "he hop'd the Church would consent to pay Mr. Burrows salary as Sexton if he continued him as such" I replied I did not think they would, "if he employ'd him he must pay him—He ask'd if there were any vestments belonging to the church." I told him I did not know—the ladies of the Society had made a present of some to Doct. Leacock, and they were considered his private property.

He then said "all seats in the church were to be declar'd free, but Pew owners claiming their Pews could occupy them" I said the Pews were private property, and the owners will claim them as they please. I told him the Church being private property could not be wrested from the owners by any authority whatever.

He spoke of his respect for Doct. Leacock, which I look'd upon as fulsome nonsense and said he regretted the Doct. with other clergymen did not use the prayer for the Pres. of the U. S. I replied he could not his Bishop had ordered otherwise—at the same time I told him Doct. Leacock was one of the finest Christians I had ever known—he told me Mr. Goodrich had us'd that prayer I said I was surpris'd, and then heard it for the first time—and doubted much if Mr. Goodrich had ever done so.

The following notice appear'd in the Pickaune (?)—soon after Mr. Chubbock got possession of the Church and was I suppose inserted by that Rev. gentleman.

(Notice torn from page.)

Mr. Chubbock said he "hop'd the Sunday School would be . . . (writing at bottom of page two smeared and illegible) . . . that Mr. Dix was the Superintendent—he said "I know that and will call on Mr. Dix." he also said he would call on Burrows but hop'd the vestry would pay his salary, for now his expences were very heavy" I said on no account will the vestry pay Burrows salary, here he left, our first interview ended—

1865 Sometime in Jany, Mr. Chubbock talking with a gentleman who attended at Christ Church said he thot of giving the Church up—the person with whom he was talking said that is right 'tis the best thing you can do, give it to the owners and let them manage their own property. O no said C. I shall give it up to the present managers to do with as they please.

Jany 8 Sunday—Mr. C. gave notice their Sunday School was growing so large, it was proposed to build a Schoolroom, and ask'd assistance for that purpose—I hear they propose putting it on the Church lot to cut down the trees

Jany 15/65 The following notice was published in the Pickaune this morning

Agreeably to the terms of the charter of Christ Church, New Orleans, notice is hereby given that after morning prayers on Monday, 1st May, a poll will be opened for the election of two Wardens and thirteen Vestrymen, at 10 o'clock A. M., and remain open til 1 o'clock P. M.

The following extract from the act of incorporation of the Church is published for the information of persons interested:

"Be it enacted by the Governor of the Territory of Orleans, by and with the advice and consent of the Legislative Council, that J. B. Prewet, Joseph McNeal, etc., and such other free white persons of the age of twenty-one years, who shall contribute not less than ten dollars per annum for the support and maintenance of the said church, shall forever be, and are hereby created and made one body politic and corporate in deed, in deed and in law, by the name and title of the Church Wardens and Vestrymen of Christ Church, in the county of Orleans, and by the same name shall have perpetual succession."

WM. P. WRIGHT, Sec'y

We understand that Christ Church is no longer under the immediate control, as hitherto for some time, of the military authorities, but solely under that of the Wardens

and Vestry of the church, whom we announced as recently elected. Rev. Mr. Chubbock, who officiates there as rector, is no longer post chaplain, having resigned that position.

1865 Jany 17 a meeting of C. Church Wardens and Vestry was called this day at 12 Oclk,—a quorum not being present a meeting was call'd for this day the 18th.

Jany 18th, at a meeting of Wardens and Vestry of C. Church met this day when it was decided the Wardens should respectfully memorialize Maj. Genl. Canby, stating to him (as far as we knew then) the circumstances of the detention of the Church from its owners and asking him to return it to the Wardens and Vestry—adjourn'd.

Jany 25th The Wardens this day waited upon Genl. Canby with their memorial and were rec'd by the Genl. aid Maj. Putnam, who said he was the man thru whom such communications reach'd the Genl. and that he would lay it before Genl Canby—than in two or three days we would probably receive a reply—the Wardens left their address with Maj. Putnam, and said they would wait upon the Genl. when notified.

Here follows a copy of the memorial

New Orleans Jany 24th 1865<sup>th</sup>

Maj. Genl. Canby

Sir The undersign'd Wardens of the Incorporated Epis-  
copal Church known as Christ Church on Canal Street  
respectfully ask a reconsideration by law of the case of said  
church.

It was the first Protestant Church established in New Orleans after cesession by France and was incorporated in 1805, has successively built three churches to accommodate its increased congregation, has always elected eminent churchmen for its Rectors (amongst which may be numbered Bishop Chase of Ohio, Doct. Hull, Doct. Wheaton, Doct. Hawks, Doct. Neville and Doct. Leacock) and has never done or sanctioned any act to warrant the course adopted towards it by the military authority commanding in this city.

The Vestry have deferred making this appeal to you until now when they first see it published that their church, taken from its owners by military authority is no longer under the control of the military, but is governed by a self constituted church government, the Post Chaplain who ministered in it having resigned his chaplaincy.

Some little time after the troops of the United States landed here Genl. Butler ordered Doct. Leacock the Rector

of the Church to leave the Department, in consequence of the Doct.'s unwillingness to disregard the orders of his Bishop, and to yield to the remonstrances of several members of his Vestry.

While it was doubtful whether Doct. Leacock would be allow'd to return, and before the vestry could select a successor to him, Post Chaplain Chubbock, a deacon only of the diocese of Massachusetts, applied to Genl. Butler, and obtained (31st October 1862) an order for the delivery to him of the keys of the Church, which were forthwith delivered and he has since ministered therein—at first he asked for the loan of the Communion plate belonging to the Church for use on communion days, which was freely granted and for some little time he returned the Plate after using it to its custodian, but after awhile he retained it in his possession as he still does—The case remained in this state until July last, when Mr. Chubbock finding as is believed that his congregation did not supply him with sufficient means to satisfy his wants, applied to Genl. Banks for an order to compel the corporation of Christ Church to deliver up all the Property and every title to property, as well as the Records and money in its possession, and such order was given by Genl. Banks on the 13th of the month, and under it the property and evidences of property, detail'd in the annex copies of receipts taken for the same, were given up, and in virtue of said order the cemetery belonging to said Church with the revenue received therefrom. In this proceeding the undersigned were at a loss to discover any trace of the spirit that should actuate a Christian government. Already one serious inconvenience has resulted from it—The Church remains uninsured. The self constituted vestry cannot legally insure, for as they can show no title to the property, no Insurance company would pay them in case of loss, and the old vestry being divested of all the means of the church has not the funds to pay the premium.

The undersign'd further represent that Mr. Chubbock, confounding occupancy for ownership, has taken away from the church a carved oak pulpit, that cost the Church about \$1500, and now in conclusion, we Respectfully request you will enjoin any further alteration or change being made in the Church or premises, and order it to be restored, to the owners thereof in the same condition as it was taken from them.

Assured of your just and impartial consideration of the case hereby submitted to you—We have the Honor Genl to remain

Your obedient Servt's

(Sign'd) Charles Harrod  
(Sign'd) Ambrose Lanfear

*1865 Jany 25th* The foregoing memorial was presented this day to Maj. Putnam Genl Canbys aid by Mr. Lanfear and Harrod.

*Saturday Jany 28* Mr. Lanfear being much engag'd Mr. Harrod call'd at 12 ockm. at Genl Canbys Headquarters for his reply to the memorial presented him by the Wardens of Christ Church on the 25th. Saw Maj. Putnam, who said the Genl. had been so much occupied since the paper was left for his inspection, not having had time to attend to it, and proposed I should call again on Tuesday the 31st at which time he thot it probable the Genl might have attended to the matter. I then left.

*Tuesday Jany 31* Mr. Lanfear being lame Mr. Harrod call'd again at Genl Canbys Head Quarters for his reply to our memorial. Saw Maj. Putnam who said he had not yet been able to lay before the Genl. the memorial left by Mr. Lanfear and myself, but thot it probable in two or three days we might get a decision.

*Friday Feby 3* Mr. Harrod call'd with Mr. Lanfear at Genl. Canbys Head Quarters, saw Maj. Putnam, who inform'd us he had had no opportunity to present our memorial, but would do so as soon as possible. We left to call next week.

*Monday Feby 6* Learning Genl Canby was absent from the city we did not call for a reply to our memorial.

*Friday Feby 10* Learning Genl. Canby had return'd to the city Mr. Lanfear being absent Mr. Harrod call'd at Head Quarters for a reply to our memorial, saw Maj. Putnam, and was answer'd Gen'l Canby had been absent, but would attend to our memorial early next week. I then stated it was more than fifteen days since we presented our memorial and as yet have no reply to it. The Maj. said he would endeavor to have a reply for us on Wednesday next I then left.

*Wednesday Feby 15* Mr. Harrod call'd this day at 11 O'AM on Maj. Putnam for Genl Canbys reply to our memorial, and was answered the papers had been plac'd in the hands of Lieut. Lyons (aid) his office was upstairs, where I might call for an answer.—I call'd on Lieut. Lyons he was out and after waiting 40 minutes, finding he did not return—I stated to the orderly present I would call again in the morning he said the Lieut usually came to his office about 10 o'clk.

*Thursday Feby 16* At  $\frac{1}{2}$  past 10 call'd on Lieut. Lyons for a reply to our memorial, and stated to him the nature of the document, when he said he thot he should recommend to Genl Canby to place those papers in the hands of Genl. Hurlburt as

the case properly belong'd to his department, as commander of the Gulf. I said I hop'd Genl. Canby would decide the case for he was the commanding officer here—he ask'd if I had any objection to the papers being handed to Genl Hurlburt—I said he had already shown his feelings regarding Christ Church by his orders to deliver over to the Provost Marshall General to deliver all the Books, papers, Records, titles and money belonging to the Church for which reason I would prefer Genl Canbys decision upon our memorial. I further stated that both Generals were unknown to me, I had never been presented to either. I further stated the present occupants were injuring and defacing the Church greatly inside, they had removed from the church a massive elegantly carv'd oak pulpit, that cost in New York \$1500 to \$1800, and that they had borrow'd our communion silver and refus'd to return it, and that they never had an order to take the communion plate. I left my address and said we wished the Genl to make his decision as soon as possible that if adverse to our wishes we might take other steps to recover our property. I said if Genl Canby is desirous to see the various orders we have from time to time rec'd I would at any time wait upon him with them.

*Monday Feby 20* This day at 11 oclk call'd on Lieut Lyons to ask if Genl Canby had replied to our memorial he look'd for the papers and answer'd the Genl had been much occupied and has not seen the papers. I said this is a hard case being now almost a month since we presented our memorial and it has not been seen or acted upon by Genl Canby I was told in the course of this week it was probable a reply could be got I nam'd Friday next to call for it.

*Friday Feby 24* Mr. Harrod call'd on Lieut Lyons for a reply to the Church memorial, and after looking for the document said he recollect he had refered those papers to General Hurlburt, and gave me a note of which the following as a copy, requesting me to call on Lieut. Grant at Genl Hurlburt's Head Quarters, and he would give me an answer—

Head Quarters Military Division of West Mississippi.  
In the (matter) of the claims of Christ Church, Referred to  
Commanding General Dept of the Gulf for action Feby 20  
1865 (signed) G. W. L. see Lieut Grant A. A. D. G. Head  
Quarters Military Department of the Gulf

I told him if the papers had not been referred I would withdraw them, he ask'd if there had been any difficulty—I said no.

*Monday Feby 27* call'd at Head Quarters of Genl Hurlburt and saw Lieut Grant who said our memorial and other documents were before Genl Hurlburt for his consideration. Mr. Lanfear and myself urg'd a speedy decision for if adverse to our claim we would appeal to Washington. We stated who now had possession of our church were selling the property of the cemetery by piece meal, and that we were desirous of stopping—he ask'd us to call the last of the week for a decision and we nam'd Saturday next 4th. Mr. Lanfear being absent we did not call on the 4th.

*Tuesday March 7* Mr. Lanfear absent Mr. Harrod call'd at Head Quarters for Genl Hurlburt's reply to our memorial, and had with me the action of the vestry at a meeting held on Saturday last March 4 together with a letter written by Mr. Lanfear and myself saying the vestry was ready to receive the Church and property back, that the vestry would appoint a rector to officiate therein, that would be entirely acceptable to the authorities (Here follows a copy of the letter) Lieut Grant said there was no need of further documents being plac'd before the Genl for all documents previously plac'd in his hands had been handed to Mr. W. P. Wright and more time had been given him by the Genl to form his reply, and we should have the notice when that was rec'd—In consequence of Genl Hurlburt's reference to Mr. W. P. Wright's report to Mr. Ambrose Lanfear instead of, to Charles Harrod and Ambrose Lanfear Wardens of Christ Church, as he the Genl was address'd by us—Mr. Lanfear address'd the note of which the following is a copy

New Orleans March 27th 1865

Genl "I have the honor to acknowledge the receipt of the document you have referr'd to me, purporting to be the answer of Mr. W. P. Wright Secretary of the self constituted vestry of Christ Church, to the memorial address'd to you by the regularly elected wardens of that church, under charter of incorporation.

In compliance with the requirements of your reference I return Mr. Wright's communication, and beg to inform you, that knowing a disagreement exists as to some of the facts stated by Mr. Wright, I have deem'd it proper to submit a copy of Mr. Wright's communication to the vestry of the Church, and when the decision of that body therein can be ascertain'd, it shall be forthwith laid before you"

I have the honor to remain

Genl. your most obdt.

(Sign'd) A. Lanfear

*Thursday March 9*—call'd at one o'clock at Lieut Grants office (met a Gentleman going out of the house and was told it was Genl Hurlburt) therefore handed Lieut Grant a letter of the Wardens of Christ Church together with the Resolutions of the vestry adopted at their meeting on Saturday March 4th—as per copy herewith—Lieut Grant said they should be left before the Genl. Here follows the copy.

New Orleans March 7 1865

To Maj. Genl S. A. Hurlburt—

Sir with reference to the memorial we, as Wardens of Christ Church address'd to Maj. Genl Canby on the subject of the case of that church—which memorial we understand has been referr'd to you—we now beg to wait on you with a copy of a Resolution pass'd at a meeting of the vestry of said church thereof authorising us to assure you of its adhesion to the Protestant Episcopal Church of the U. States and of the conformity of its ritual with that of said church.

With Respect Your obt serts

(Sign'd) Charles Harrod

(Sign'd) Amb. Lanfear

Copy of said Resolution of March 4th 1865

Resolv'd that the vestry of Christ Church authorise the Wardens of said church to represent to the military authorities that the Corporation of Christ Church hereby recognises the jurisdiction of the Protestant Episcopal Church of the U. States and expresses its willingness to conform to the ritual of the Church and they trust that this assurance will warrant the military authority to restore to the corporation of Christ Church its church and property.

I certify the above to be a true copy of minutes of the meeting held on the 4th of March 1865 by the wardens and vestry of Christ church,

(Sign'd) T. J. Dix Secy.

New Orleans 11th March 1865

Tuesday March 14/65 I was this day call'd upon by Mr. Wm. P. Wright, who stated that he made me an official call, to talk over Church matters, and see if the owners of the Church, and the present occupants could not come to some satisfactory agreement about the Church. I told him I would hear any proposition he might make, that any thing I might say who (?) unofficial that I could not act without being authorized by my vestry, that I should be glad to see matters amicably arranged—he propos'd as

a basis of settlement, that the old vestry should name seven of their number, and the present occupants seven then the two parties meet and agree upon a fifteenth for future wardens and vestry. I repeated, nothing I could now say would be binding, but would converse with some of the vestry, and see him again in a day or two. I then told him of the way in which they got the church—all the property with the Communion Plate, and that I could not like Mr. Chubbock as a preacher, nor do we, he said, and will get rid of him as soon as possible. I then told him the Church had been desecrated and much chang'd, that all must be replac'd as it was.

*Thursday March 16th* (Two days after) call'd this morning on W. P. Wright at his office, and said to him I had reflected upon our unofficial conversation of Tuesday last, as also upon his suggestion—but thot, as the Wardens and vestry had laid the claim of the owners of Christ Church before the Commanding General, we should await his reply to our communication—then we can act as circumstances may require. I then left, it being understood nothing that had passed between us was official.

*March 30 (?)* call'd a meeting of the vestry this day. Present C. H. — A. L. — G. C. D. — T. J. D. — R. G. — H. W. P. and R. M. and J. G. when it was Resolv'd Mr. Lanfear to whom Genl Hurlburt had referr'd the report of W. P. Wright should reply to the Genl., and state the wardens and vestry of C. C. do not acknowledge the right of Mr. W. P. Wright interference in the matter. Here follows copies of Mr. Lanfear's letter to Genl Hurlburt—together with Mr. W. P. Wright's report.

Copy

New Orleans April 5th 1865

Maj. Genl. Hurlburt

Sir Lest I should be supposed to have neglected your reference to me of the communication from Mr. Wm. P. Wright relative to Christ Church, beg leave to state that I caused a meeting of the vestry to be call'd to consider the subject, but owing to the absence of several members, a quorum could not be obtained—Another meeting of the vestry has been called and when its decision in the case can be ascertained, it shall be laid before you—I have the honor to Remain Genl

Your Obt. Sevt.

. (Sign'd) A. Lanfear—Junior Warden of Christ Church

**"Copy" of Mr. Wm. P. Wrights Report**

**Maj. Genl. Hurlburt**  
**Hd Qrs Dept of the Gulf**

**General** In reply to the communication of Mr. Charles Harrod and Ambrose Lanfear under date of 25th January last, which was refer'd to me by your order of 21st Feby. I am directed by the vestry of Christ Church to say.

That the Rev. Mr. Chubbock has never ask'd, nor rec'd compensation in any form for his services to the Church, during the time he was connected with the army, which connexion ceas'd about three months ago—That the Church is insured for the sum of \$50,000 in three solvent companies in the city.

That the assetts of the Church in the form of Bills receivable turn'd over to the vestry by your order are absolutely valueless.

That a sum of money greater than the receipts from the cemetery is requir'd to put the property in a tolerable condition, and that the other realty of the Church is in the possession of the Government and yields no revenue to the society.

That in a spirit of liberality, and Christian spirit the present vestry have offer'd to meet their predecessors, and in connection with them to administer the affairs of the Parish, and mutualy and in harmony counsel and advise—to this those gentlemen declin'd to acceed.

In the same spirit is now very respectfully suggested that the present vestry surrender into your hands the trust you confided to them, that it be tendered to the old congregation on the condition that Christ Church shall be kept open for the benefit of all who may desire to worship there, and that a Loyal Churchman be provided to administer the rites and ordinances of the Church, and that if they decline to accept the trust on these conditions, it be returned to the present vestry—all which is very Respectfully submitted by

Your obt. Sevt.

(Sign'd) William P. Wright  
Secretary

Indors'd on the Back

Hd. Qrs. Depart' of the Gulf—New Orleans March 25th 1865  
Respectfully referr'd to Mr. Ambr. Lanfear for answer this  
paper to be return'd with the same—By command of Maj.  
Genl. Hurlburt

(Sign'd) I. C. Stone  
Capt. A. A. Genl.

To which Report of Mr. Wright Mr. Lanfear repli'd as follows

"Copy"

New Orleans April 18, 1865

General In the matter of Christ Church, Since I last address'd you on this subject, several meetings of the vestry have been call'd but, it was only this day, that they agreed on a decision as to Mr. Wrights letter to you, which you referred to me, and now have the honor to submit to you a Resolution on the subject which the vestry have this day pass'd—with great Respect Genl.

Your most obt. Sevt.

(Sign'd) Amb. Lanfear

One of the Wardens of Christ Church

To Maj. Genl. Hurlburt  
Comdg Depart. of West Miss.  
New Orleans

"Copy"

At a meeting of the vestry of Christ Church held this day the following Resolution was agreed to and order'd to be put upon the minutes viz. "The vestry having consider'd Mr. Wm. P. Wrights report to Maj. Genl. Hurlburt on the subject of Christ Church, and by him referr'd to one of the Wardens thereof—Resolved that they cannot recognize in Mr. Wright, or in the body he claims to represent, any authority in the matter. This Church and property having been taken from them by order of military authority, it is to that same authority they look for its restoration in the same state in which it was when taken from them."

The foregoing Report of Mr. Wrights doings do not agree in fact, for it was distinctly understood between him and Mr. Harrod at their meeting March 14/65, that neither was authoris'd to make any proposition for a settlement, yet he asserts in his report to Genl. Hurlburt directly to the contrary, so much for Mr. Wright.

June 19. Monday. This day Mr. Lanfear and myself call'd at the Head Quarters of Genl. Canby, to see him on the subject of Christ Church, and to ask him the return of the Church with all the property of every description taken from us belonging to that Congregation, and that we might lay before the Commanding General our claims, we ask'd an interview with that Gentleman of Capt. Ames his aid to whom we were introduc'd by Col. Christensen— then in Capt. Ames office.

Capt. Ames ask'd if we had written out a statement of facts referring to our claim, which he ask'd to be shown him— When we handed him the following— and after looking it over said he would present it to the Genl. and we might call on Friday or Saturday for his decision in the matter— here follows Copy of Statement left with Capt. Ames for the Generals perusal— viz

“Copy”

To Maj. Genl. G. R. S. Canby  
commanding at New Orleans

Sir In order that you may be informed of the State of Christ Church, and nature of the claim we, as Wardens make, we have thot proper to state some of the leading points on which we base our claims, and for further information, would refer you to a memorial address'd you by the undersign'd dated January 24th 1865, and by you referr'd to General Hurlburt Feby 24/65, as we were inform'd by your aid Lieut Lyons, and on the 7th of March 1865 Genl Hurlburt's aid Lieut Grant inform'd us the memorial and documents presented by the Wardens claiming Christ Church had been referr'd to Mr. W. P. Wright.

An order from Genl. Butler sign'd Oct. 31, 1862, ordering the Senior Warden of Christ Church (Charles Harrod) to deliver the keys of said Church to Post Chaplain Chubbock, said order was brot. by Mr. Chubbock himself, and to him the keys were delivered, previous to which the Rector of said Church was banish'd from his home by an order from Genl. Butler.

The day after Mr. Chubbock got possession of the Church he notified the public thro. the Picaune the Church would be open for service Nov. 2 *with seats free.*

At the time Mr. Chubbock took the keys he ask'd the Warden if he had in his possession the Communion plate of the Church to which he answer'd yes, he then ask'd if the vestry would loan it to him when wanted for service, and he would return it to the custody of the Senior Warden, he was told by the Warden, he could have it for use as he might have occasion, provided he would return it the same day— all which he promised— for one year it was loan'd and return'd after using it on the same day. On Christmas 1863, the Silver was sent for, and loan'd as usual—and retain'd by Mr. Chubbock, who with some of his advisers return'd some frivolous answer, when the Silver was sent for by the Warden, and they have kept it till this day the owners being refus'd possession of it.

After Genl Banks came here to command he issued an order No. 118 that all churches taken possession of by mili-

tary authority (see his order 118 Dec. 24, 1862) would be return'd to their congregations on which order, and by advice of the Secy at War the Rector of Christ Church came here from New York, but by an order from Genl. Banks was not permitted to land, even to visit his family, and was order'd immediately back to New York on same steamer that brot. him here— In the meantime a meeting of the vestry of Christ Church was held and Doct. Mercer, A. Lanfear and Charles Harrod appointed a committee to wait upon Genl. Banks and ask the return of Christ Church to the congregation agreeable to his order and he could prescribe such Rules for the government of said church as he might think proper, after waiting some days, and calling several times on Genl Banks, the committee were answer'd "it was an important matter, and requir'd time for reflection," this same reply was so often repeated— the committee finding little use in calling abandon'd it, and left the Genl to his reflections.

On the 13th July 1864 Genl Banks issued an order (special) No. 184 To the Wardens and vestry of Christ Church to deliver at his Head Quarters, all the titles to property belonging to Christ Church—all the Books, papers, titles and money, with the cemetery Records Book— and on the 3rd Sept. 1864 a similar order was issued by Genl Hurlburt, and the various articles deliver'd to the Provost Marshall Genl as per his receipt dated Oct. 3, 1864.

Since then Sir we have been endeavoring to get possession of Christ Church and the property thereunto belonging by application to you in a memorial sign'd and presented January 24, 1865 which after some weeks, the undersign'd were told it had been referr'd by you to Genl Hurlburt— then after about two weeks more, they were told it had been referr'd by Genl Hurlburt to a Mr. Wm. P. Wright, and as we could not acknowledge the right of Mr. Wm. P. Wright to interfere in the matters of Christ Church, we again call upon you, and ask a return of the property— its having been taken from us by military order, to that authority we look for its return to its owners.

We ask from you the return to the Wardens and vestry of Christ Church, said church, with all the property thereunto belonging in the same condition as when taken from them— with all titles, notes, monies, Books, Records, the Communion Plate, Protestant Cemetery, and Records, and all other property belonging to the same— and to administer in said church we will appoint a clergyman that shall be unexceptional to the Authorities, and to the Congregation.

It may be proper here to state we shall require some little time to put the Church in order, make arrangements for raising funds for successfully carrying it on.

All which is most Respectfully submitted by

Your Obt. Sevts.

(Sign'd) Charles Harrod      } Wardens of  
(Sign'd) Amb. Lanfear      } Christ Church

New Orleans June 16th 1865  
(Presented June 19/65)

June 23 1865 Mr. Harrod call'd this day at Genl Canbys Head Quarters for a reply to the letter presented June 19 asking the return to the owners of Christ Church all their property taken from them by military authority—saw Capt. Ames the Genl's a/c he gave for answer "Your request is refus'd" I then asked to see the Genl. Capt Ames said as our request had been refus'd, it would be presumption in him to ask the Genl to see the Wardens.

Reported to Mr. Lanfear the above reply—the same day June 23/65.

June 23—after my interview with Capt. Ames as above stated rec'd thro. the Post office from Genl Canby the document address'd him by myself and Mr. Lanfear dated June 16/65 with the following indors'd on the back, which I show'd Mr. Lanfear on the 24th—here follows the copy of Genl. Canbys indorsement viz.

The decision of Maj. Genl Hurlburt covers all the points in the case, it is just and equitable and is confirmed—The case is so far concluded as the action of this Department commander is concern'd.

(Sign'd) Ed. M. Canby M. G. C.

Head Quarters  
Department of the Gulf  
New Orleans June 22, 1865.

After receiving the above indorsement on our letter from Genl. Canby the Wardens of Christ Church address'd the Genl the following note—here follows a copy—viz.

"Copy"

New Orleans 26th June 1865

"Maj. Genl G. R. S. Canby"

"Commanding Department of the Gulf"

Sir, "As in your answer to our memorial on behalf of Christ Church as covering all the points of the case, we respectfully request to be furnished with a copy of that

decision, which has never been communicated to us, that we may be enabled to report to the Congregation we represent, the grounds on which their Property, taken from them by military authority, and no longer wanted for military purposes is still withheld from them"

We remain General

Yours Respectfully

(Sign'd) Charles Harrod      } Wardens of  
 (Sign'd) A. Lanfear      } Christ Church

The above was taken to Head Quarters this day by a clerk of the Bank of Louisiana— June 26, 1865.

To the above note the only reply was as follows

July 17 1865 Head Quarters Department of the Gulf  
 "Copy" Mr. A. Lanfear  
 New Orleans, La.

Dear Sir Herewith I inclose S. O. No. 339 Ex. 2 from these Head Quarters Dec. 15 1864. If there be any formal written report by Maj. Genl Hurlburt in the case of Christ Church I have not seen it, nor can we find it.

Should such come to light, I shall be happy to furnish a copy for your information if admissible.

With much Respect

Your Obt. Servt.

(Sign'd) S. M. Eaton Captain  
 Dept. of La. and Texas.

Here follows "Copy" of Special order of Dec. 15, 1864 Printed

Headquarters Dept. of the Gulf  
 New Orleans Decr. 15th 1864

Special order No. 339

Extract—"The Members of the vestry of Christ Church in the City of New Orleans having complied with extract 11 of Special orders No. 184, current series from these Head Quarters, by delivering up to these Head Quarters all assetts, money and Records of the said Church, and the requirements which called for the above order, no longer existing, such assetts, Records, and money, are hereby turned over and transferr'd to the legally constituted officers of said Church under the charter thereof to be disposed of according to law.

By command of Major Genl. Hurlburt

(Sign'd) E. L. Sargent  
 1st Lieut 2d. Loua. vols. and A. A. A. General

Official (Sign'd) S. M. Eaton Capt.  
 C. S. O. D. of G.

"Copy"

Col. Crosly Shall I trouble you to order a copy for me of General Hurlburt's Report or decision, in regard to a memorial from the vestry or Congregation of Christ Church in this city praying for its restoration to the old *Regime*.

Yours

(Sign'd) S. M. Eaton

July 15, 1865

"Copy"

Col. Crosly This Special order is all the Record we have of any decision, pertaining to restoring Christ Church to the old *Regime*.

(Sign'd) N. J. Kendall

The foregoing were this day July 17 1865 sent to Mr. Lanfear in reply to the request of the Wardens of Christ Church sent to General Canby June 26, 1865. No attention to said request being given by General Canby and only by Mr. Lanfear's perseverance was so much obtain'd after 21 days.

o/s  
✓

## RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA LXXXV.

May-June, 1762

(Continued from July, 1940, Quarterly)

By G. Lugano

Revised by Walter Prichard

### By the Editor of the Quarterly

List of Officials of Louisiana participating in the work of the Superior Council of Louisiana contained in this installment:

De Kerlérec, Louis Billouart, Chevalier, Governor  
De Rochemore, Vincent Gaspard Pierre, Chevalier, Commissioner General of the Marine, Intendant, and First Judge of the Superior Council  
De la Lande d'Apremont, Charles Marie, Councillor Assessor, and acting Procureur General  
De Kernion, Jean Francois Huchet, Councillor Assessor  
De la Chaise, Jacques, Councillor Assessor, and Keeper of the King's Warehouses in New Orleans  
De Macarty de Mactigue, Barthélémy, Chevalier, Councillor, and acting Lieutenant of the King  
De Bellisle, Francois Simars, Town Major of New Orleans  
De Foucault, Nicolas Denis, Commissioner General of the Marine, and First Judge of the Superior Council  
Chantalou, Augustin, Royal Notary and Chief Clerk of the Superior Council  
Broutin, Francois, Notary and Clerk of the Superior Council  
Lenormand, Marin, Sheriff  
Destrehan, Jean Baptiste, Treasurer of the Marine in New Orleans  
Thomassin, Charillo Antoine, Notary of the Marine and Cashier of the Royal Treasurer in New Orleans  
De Boisblanc, Pierre Hardy, Attorney for Vacant Estates  
Chanfret, Claude Trenaunay, Judge and Subdelegate at Pointe Coupée  
Benoist, Charles, Royal Notary and Clerk of the Court at Pointe Coupée  
Ricard, Pierre, Royal Storekeeper at Pointe Coupée  
Gardrat, Henry, Chief Surgeon of the King in New Orleans  
Soubie, Jean, Secretary to Governor Kerlérec  
De Villiere de Neyon, Commandant in Illinois  
Devergés; De Reggio; Ducros: Clerks or secretaries of the Superior Council

May 1, 1762.

No. 8153. 2 pp.

Contract between  
Nicolas Lamothe  
and Guillaume  
Bergeron called  
Xaintonge and wife,  
for exchange of  
landed properties.

**Exchange Contract**, executed before the Royal Notary of Pointe Coupée, between Sieur Nicolas Lamothe, merchant at this post, on one side, and Sieur Guillaume Bergeron called Xaintonge, inhabitant of False River, and Agnes Renaudiere, his wife, whom he authorized for the purpose of the present contract.

The two contracting parties declared to have made, four or five years ago, an exchange of the landed properties hereafter described, with mutual promise and guaranty that said properties were free from any encumbrance. Sieur Lamothe released and transferred to said Xaintonge and his wife, who expressed their acceptance, eleven arpents of ground by the usual depth, together with all buildings and enclosures existing at that time, situated on False River, adjoining on one side the property of a man called Fonderie, and on the other side the lands that have not yet been granted, which property said Lamothe acquired from the late Daniel Bopf. In exchange for that property said Xaintonge and his wife released and transferred to said Lamothe, who signified his acceptance, four arpents of ground by the usual depth, together with all buildings and enclosures in existence at that time, adjoining on one side the property of one Pourciau by name and that of Philippe Duplessis on the other side. The exchange is effected with the agreement for payment of 1000 livres by said Lamothe to Xaintonge and his wife, who acknowledged having received said sum and declared said Lamothe free and discharged. Passed at said Post of Pointe Coupée, on the first day of May 1762, in the afternoon, in the presence of Sieurs Pierre Ricard and Francois Marcantell, witnesses residing in said post.

(Signed) : Marcantell; Ricard; Lamathe; Benoist, Notary.

Guillaume Bergeron called Xaintonge and his wife declared not knowing how to write nor sign.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 1.

No. 8154. 2 pp.

Contract between  
Nicolas Lamathe  
and Guillaume  
Lemoyne called  
Le Normant, for  
exchange of landed  
properties.

**Contract of Exchange**, passed before the Royal Notary of Pointe Coupée, between Sieur Nicolas Lamathe, merchant at this post, and Sieur Guillaume Lemoyne called Le Normant, inhabitant of same post.

Objects of the exchange are Lamathe's property: one piece of land, four arpents in front by the usual depth, together with all buildings, improvements and rights,

situated between the properties of Philippe Duplessis on one side and that of a man called Pourciau on the other side, which

property Lamathe acquired by exchange from Guillaume Bergeron called Xaintonge and his wife; and Lemoyne's property: a piece of land together with all buildings, improvements and rights, adjoining the property of Francois Niché on one side and that of Sieur St. Cyr on the other side.

The transaction was effected by means of the payment of 1000 livres by Lamathe to Lemoyne.

Executed before the Notary of Pointe Coupée, on May 1, 1762, in the afternoon, in the presence of Sieurs Pierre Ricard and Francois Marcantell, witnesses.

(Signed) : Marcantell; Lamathe; Ricard; Benoist, Notary.

Guillaume Lemoyne declared that he could not write nor sign.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 1.

No. 8152. 3 pp.

Marriage Contract  
between Guillaume  
Lemoyne called  
Lenormant and Marie  
Magdeleine Cordier.

**Marriage Contract** passed before the Royal Notary of Pointe Coupée, on May 1, 1762, between Guillaume Lemoyne called Lenormant, inhabitant of said post, Diocese of Quebec, widower of the late Marie Guinard; and Marie Magdeleine Cordier, widow of Feulonnis Robillard, former inhabitant of Illinois.

Guillaume Lemoyne was assisted by Sieur Pierre Ricard, store-keeper for the King in said Post, and by Sieur Eme (Aime) Roujeau, his friends, for want of relatives. Marie Magdeleine Cordier was assisted by Sieur Francois Allin and by Sieur Francois Marcantell, her friends, for want of relatives.

(Signed) : Allain; Ricard; Roujeau; Marcantell; Lafleur; Benoist, Notary.

The contracting parties declared that they could not write nor sign.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 3.

No. 8155. 8 pp.

Succession of  
Gilbert Dumas  
called Lempileur  
and wife: Act of  
Division of the  
property belonging  
to said succession.

**Account and Division** of the holdings of the Succession of the late Gilbert Dumas called Lempileur and of Marie Housse Corne, his first wife.

Transaction effected between Sieur Hardy de Boisblanc, in his capacity of Attorney for Vacant Estates, acting and stipulating for the heirs of Dumas called Lempileur; and Sieur Jean Baptiste Dureux called Dupré, inhabitant of Illinois, in the name and as husband of Catherine Fontaine, widow Durcy, daughter of the late Claude Fontaine and of Marie

Housse Corne; and Sieur Etienne David, inhabitant of Pointe Coupée, also son of said Marie Housse Corne by Etienne David, her first husband.

Said account was rendered and division executed, by virtue of the order of November 7, 1761, of the Superior Council, before Mr. Delachaise, Councillor Assessor of the Superior Council, appointed Commissioned in this case, and in the presence of Mr. Delalande Dapremont, Procureur General of the King, of the interested parties, and of the undersigned witnesses, as follows:

Proceeds: the sum of 45,808 livres, presented, with all details, in the account rendered by Sieur Hardy de Boisblanc, in his capacity, in execution of the order of September 24, 1761: ..... 45808—

From which sum are to be deducted before proceeding to the division:

The sum of 5003 livres and one sol, for expenses specified in said account: ..... 5003— 1—

The sum of 558 livres, for procedure costs made by Sieur Durieux: ..... 558—

The sum of 20 livres for sundry petty expenses paid by Sr. Hardy: ..... 20—

Making a total of 5581 livres and one sol: ..... 5581— 1—

Which sum, deducted from the total amount of the proceeds presented above, leaves a net sum of 40,226 livres and 19 sols, to be divided between the interested parties: ..... 40226— 19—

Before proceeding to the division it is necessary to separate the holdings of the Marie Housse Corne succession from those of the Dumas succession.

The succession of Marie Housse Corne is composed of the price paid for the house adjudicated to said succession by the order of the Superior Council, dated May 2, 1761, and of the portion she brought at the time of her marriage to Dumas.

The judicial sale of said house brought the sum of 32,600 livres: ..... 32600—

From which is to be deducted the sum of 3666 livres and 15 sols, for vacancy and judicial costs: ..... 3666— 15—

Leaving the net amount of 28,933 livres  
and 5 sols: ..... 28933- 5-

Marie Housse Corne's portion, as stated in  
the marriage contract, was 2800 livres:....2800-

Sieur Durieux acknowledged having re-  
ceived from Sieur Durcy, first husband of his  
wife, for what was coming to him from the  
succession of Fontaine, his wife's father, the  
sum of 1400 livres, part in cash, and the rest  
representing the value of a negro slave:..1400-

There is therefore the remaining sum of  
1400 livres of which the succession of Dumas  
called Lempileur must give an account, from  
which sum shall be deducted 195 livres and  
10 sols, for vacancy and judicial costs, leaving  
the net amount of 1247 livres and 10 sols:..... 1247- 10-

Which, added to the aforesaid amount of: 28933- 5-

Gives the total amount of: ..... 30180- 15-  
representing the Succession of Marie Housse Corne.

This sum was divided, by equal shares, between Etienne  
David and Sieur Durieux called Dupré, each one in his said  
capacity; while the balance of the whole amount of the two  
successions will go to the Dumas heirs.

Consequently, Sieur Etienne David is en-  
titled to the net sum of 15,090 livres, 7 sols,  
and 6 deniers: ..... 15090- 7- 6-

Sieur Durieux called Dupré is entitled to  
the same amount: ..... 15090- 7- 6-

And the heirs of Dumas are entitled to the  
sum of 10,046 livres and 4 sols: ..... 10046- 4- —

Making the total of 40,226 livres and  
19 sols: ..... 40226- 19- —  
which represent, as it was explained above, the net proceeds  
of the two successions.

Sieur Durieux called Dupré acknowledged receipt of the  
sum of 15,090 livres, 7 sols, and 6 deniers, for the share coming  
to his wife, of which sum he acquitted and discharged the suc-  
cession of the late Dumas called Lempileur.

And Sieur Hardy de Boisblanc, in his stated capacity of  
Attorney for Vacant Estates, remained entrusted with the same  
amount of 15,090 livres, 7 sols and 6 deniers, coming to Sieur  
Etienne David; and of 10,046 livres and four sols, coming to

the heirs of Dumas called Lempileur; of which funds he shall render account when and to whom it will be ordered by the judge.

Executed in New Orleans, on March 3, 1762, in the presence of Sieurs Lavigne and Marette, witnesses residing in this city.

(Signed): Hardy de Boisblanc; Durieux; Delachaise; Marette; Lavigne; Delalande.

*Etienne David  
acknowledged  
receipt of the  
amount coming  
to him from the  
above division.*

**May 3, 1762.—Today, May 3, 1762,** in the morning, before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Etienne David, inhabitant of Pointe Coupée, who, by these presents, acknowledged having received in cash from Sieur Hardy de Boisblanc, attorney for Vacant Estates, the sum of 15,090 livres, 7 sols and 6 deniers, in full payment of what was coming to him from the succession of Marie on said day, month and year, in the presence of Sieurs Marin Housse Carne, his mother; of which sum he acquitted and discharged said Sieur Hardy. Passed in the Notarial Office of New Orleans on said day, month and year, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed): Hardy de Boisblanc; Etienne; Bary; Chiron; Chantalou, Notary.

(Signed, in margin of first page): Devergés; De Reggio, Ducros.

May 7.

No. 8162. 5 pp.

*Marriage Contract  
between Antoine  
Thomassin and  
Margueritte Rillieux.*

**Marriage Contract** passed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Antoine Thomassin, native of Lyon, parish of St. Nizier, Notary of the Marine and Cashier of the Treasurer of the King in this city, of age and enjoying his full

rights, legitimate son of the late Sieur Claude Thomassin and of the late Dame Elizabeth Chirolet; and Mademoiselle Margueritte Rillieux, of age and enjoying her full rights, native of Fort Condé of Mobile, in this province, parish of Notre Dame, Bishopric of Quebec, legitimate daughter of the late Sieur Francois Rillieux, inhabitant of this colony in his lifetime, and of Dame Marie Chenet.

Sieur Antoine Thomassin was assisted by Mr. Jean Baptiste Destrehan, Treasurer of the Marine in this Colony, and by Mr. Pierre La Clede de Liguest, merchant of this city: his friends, for want of relatives. Demoiselle Margueritte Rillieux was assisted by said Dame Marie Chenet, her mother; by Sieur Vincent Rillieux, her brother; by Sieur Pierre Lavigne, her

brother-in-law, employed in the King's Offices in this city; by Sieur Guillaume Roussillon, her under-tutor; and by Sieur Jean Francois Le Déé, merchant of this city.

Executed in the Notarial Office of New Orleans on May 7, 1762, in the afternoon, in the presence of Sieurs Pierre Bary and Marin Lenormand, witnesses.

(Signed): Charillo Antoine Thomassin; Destrehàn; Marguerite Rillieux; Lavigne; Roussillon; Le Déé; Manon Rillieux; Bary; Laclede Liguest; Rillieux; P. Rillieux; Chantalou, Notary.

Vincent Rillieux declared that he could not write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 7.

No. 8161. 2 pp.

Receipt by Pontalba  
to Roussillon for  
15,500 livres paid  
for a plantation.

I Have Received from Monsieur Roussillon the sum of 15,500 livres, as part payment of what he owes me, for the plantation called "Le Temple", which I have sold to him. New Orleans, December 31, 1757.  
(Signed): Pontalba.

The above receipt was deposited in Our Office by Sieur Roussillon, upon whose request a copy of the document was delivered to him. New Orleans, May 7, 1762.

(Signed): Roussillon; Chantalou, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

May 10.

No. 8166. 11 pp.

Petition to the  
Superior Council  
by Delalande, acting  
Procureur General,  
for permit to affix  
seals and make an  
inventory and  
appraisal of the  
property of the  
Joseph Carriere  
succession; and  
for appointment of  
tutor and under-  
tutor of the minor  
children of deceased.

Gentlemen of the Superior Council of Louisiana: Sieur Delalande, Councillor Assessor, acting Procureur General of the King, has the honor of announcing that he was informed of the death, occurring yesterday, of Sieur Joseph Carriere, inhabitant of this colony, who left several children, some of them of age, and the others minors and absent; and for the purpose of preservation of the holdings of the succession, in the interest of the minor children and of whomsoever it may concern, said Procureur General demands that it may please you, Gentlemen, to

order that the seals be affixed on the holdings of the succession, and that a Tutor and an under-Tutor be appointed for said minors, so that it may be proceeded to the Inventory, description and appraisal of said property, in the presence of the Tutor and under-Tutor, and of the Gentlemen that it will please you to designate. New Orleans, May 10, 1762. (Signed): Delalande.

Petition granted  
and De Kernion  
appointed commis-  
sioner in the case.

**May 10, 1762.**—Considering the present petition the Council ordered and does order that, under the direction of the Procureur General, seals shall be affixed on the holdings of the Carriere succession; that it shall be proceeded to the election of a Tutor and of an under-Tutor for the minor children of the late Carriere; and that an inventory and appraisal be made of said succession. The whole is to take place before Mr. De Kernion, Councillor Assessor, in the presence of the Procureur General. Decision rendered in the Council-chamber, on May 10, 1762.

(Signed): Kerlérec; Macarty; Huchet de Kernion; Delachaise.

Family meeting  
assembled to appoint  
a Tutor and an under-  
Tutor to said minors.

**May 12, 1762.**—On May 12, 1762, at 9 o'clock A.M., before Us, Francois Huchet de Kernion, appointed Commissioner in this case, appeared Mr. Delalande, acting Procureur General of the King, who declared that, by virtue of the order of the Superior Council, of the 10th of the present month, and in consequence of the notice served yesterday by Sheriff Lenormand, he had summoned the relatives of the minor children of the late Sieur Joseph Carriere and of the late Dame Marguerite Trepagnier; said minors being four in number, viz: Noel Gerard, about twenty-three years old; Mathurin, about twenty-two; Francois, about twenty; and Francoise, about thirteen—which relatives are Sieur Joseph Carriere, inhabitant of this colony, brother of said minors; Sieur André Carriere Monbrun, employed in the Marine Office, also their elder brother; Sieur Jacques Carriere, residing in this city, also their elder brother; Sieur Antoine Foucher, tailor of this city, their brother-in-law, having married their sister Marguerite Carriere; Sr. Jean Baptiste Trudeau, Aide-Major of the colonial troops garrisoned in this city, their relative by marriage; Sr. Francois Broutin, residing in this city, also their relative by marriage; Sr. Louis Bauré, Officer of the Militia, also their relative by marriage.

All of whom appeared at the meeting with the purpose of appointing a Tutor and an under-Tutor for said minors; and, after having taken oath that they would give sincere and faithful advice on the matter, have unanimously expressed themselves in favor of the appointment of said Sieur Bauré as Tutor, and of Sieur Foucher as under-Tutor; who both voluntarily accepted their responsibility and pledged themselves to accomplish their duty.

(Signed): Boré; Foucher; Joseph Carriere; A. Carriere; J. Carriere; Noel Carriere; Mathurin Carriere; Trudeau; Broutin.

Report of action  
of family meeting  
made to Council.

Carriere minors be reported to the Council, so that it may act accordingly. Order given in Our Office, on said day, month and year.

(Signed) : Huechet de Kernion; Chantalou, Clerk.

Homologation of  
action of family  
meeting by the  
Council.

having heard the conclusions of the Procureur General of the King, homologated and does homologate the procès-verbal of said meeting of relatives; consequently ordered and does order that said Sieur Bauré will be Tutor for said minors and will take charge of their persons and property; and said Foucher will be under-Tutor. Rendered in the Council-chamber, on May 12, 1762.

(Signed) : Huchet de Kernion; Kerlérec; Macarty; Delachaise.

Petition of Tutor  
for permit to sell  
perishable effects  
of the minors.

**May 24, 1762.—Petition to Our Lords of the Superior Council of the Province of Louisiana:**

Louis Boré, in the name and as Tutor of the minor children of the late Joseph Carriere humbly prays and explains that there are perishable effects belonging to said minors, in whose interest it would be advisable to sell them; consequently may it please you, Our Lords, to permit the sale of said perishable effects, in conformity with the customary procedure; all of this to take place before Mr. De Kernion, Councillor Commissioner in the case, and in the presence of the Procureur General of the King. And you will act rightly.

(Signed) : Boré.

Permit granted.

**May 24, 1762.—Considering the above petition and the conclusions of the Procureur General of the King, the Superior Council permitted and does permit the sale of said movable effects of the Carriere Succession, to be effected before Mr. De Kernion, Commissioner appointed in this case, and in the presence of the Procureur General of the King.**

(Signed) : Kerlérec; Macarty; Huchet de Kernion; Delachaise.

Consent of the  
Procureur General  
to the sale.

Carriere succession. (Signed): Delalande.

**May 24, 1762.—I Do Consent**, in the King's name, and in behalf of the minors, to the sale of the movable effects and personal property belonging to the Carriere succession.

Affixing of the  
seals and Inventory  
of the holdings of  
Carriere succession.

**May 10, 1762.—On May 10, 1762** at 9 o'clock A.M., by virtue of the order of this day, of the Superior Council, and on request of Mr. Delalande, acting Procureur General of the King, We, Jean Francois Huchet de Kernion, Councillor Commissioner in this case, together with the Procureur General of the King, the Clerk and the Sheriff of the Superior Council, went to the residence of Sieur Joseph Carriere, who died yesterday, for the purpose of making the Inventory and affixing the seals on the holdings of his succession; and, upon entering the house, We found in the first room the corpse of said Carriere lying on a bier, and met there Sieur Louis Boré, the deceased's friend, who has assisted him during his last illness. And Sr. Boré having stated, under oath, that nothing had been diverted nor secreted of the effects of said succession, We proceeded to the description and to the affixing of the seals on all that was in sight, as follows:

Firstly in the hall: one pair of andirons; one small jar; one bucket; five plain wood caned chairs; one cypress table and one walnut table, both with drawers; one goldleaf mirror, measuring fifteen by twelve inches; one double-door armoire with lock.

In another room at the right: one bed; one cypress table with a worn cover; one small mirror and six ruffles for dressing tables; two window curtains with their rods; one cypress bed, one straw-mattress, one featherbed, one pair of sheets, one pillow, one mosquito net and one calico bedtester; one large double-door armoire with lock.

In a small adjoining room: one cypress table with drawer, one Fayence soup bowl, one Fayence plate, and five Fayence dishes, two large cypress chests, one silver cover and two knives.

Then the seals were affixed to the door of a room at the left after the windows had been closed; and also to the door of the cellar in the basement.

In the yard were in sight: two washtubs; on the gallery; a large chest, one folding table, and two other washtubs.

In the kitchen were found: two cypress tables and two copper candlesticks.

This is all that was in sight and subject to be sealed, in this city, belonging to said succession.

Then We have been told that there is a plantation, about four-fifths of a league above the city, where there are: negroes, cattle, implements and some grain; but there is nothing there subject to seals.

The abovementioned effects have been intrusted to Sieur Boré's care, who voluntarily took charge of same, and promised to produce them whenever requested by the judge.

(Signed): Delalande; Boré; Bary; Huchet de Kernion; Chantalou, Clerk.

May 11.

No. 8165. 3 pp.

*Sale of the property  
of the successions  
of Francoise Bonna-  
venture and wife,  
and of Jean  
Bellanger.*

On May 11, 1762, at 8 o'clock A.M., We, Claude Trenaunay Chanfret, Judge and Subdelegate at the Post of Pointe Coupée, upon request of Sieur Hardy de Boisblanc, Attorney for Vacant Estates, went to the Registry for the purpose of proceeding to the sale and adjudication of the holdings of the succession of Francois Bonnaventure, of Marie Bonnaventure, his wife, and of Jean Bellanger, on condition that the purchasers pay cash for the articles that will be adjudicated to them:

Firstly: one wooden bed, one moss-mattress, one pillow, one featherbed, one white bed curtain with braces and bedtester, adjudicated to Sieur Lamathe for 1000 livres: .....

1000- — —

Two pairs of large breeches of different kinds, adjudicated to Sr. Lamathe for 70 livres: .....

70- — —

Two other pairs of large breeches, adjudicated to Sr. Lamathe for 80 livres: .....

80- — —

Two pairs of small linen breeches, adjudicated to Sr. Lamathe for 40 livres: .....

40- — —

Two coats, one of gray linen and the other of Polonaise, adjudicated to Sr. Lamorandiere for 110 livres: .....

110- — —

Two pairs of sheets, adjudicated to Sr. Lamorandiere for 110 livres: .....

110- — —

Two ladies' fancy chemises, adjudicated to Sr. Lamathe for 250 livres: .....

250- — —

One bombazine skirt and its jacket, adjudicated to Sr. Lamathe for 270 livres: .....

270- — —

One cotton skirt and its jacket, adjudicated to Sr. Lambert for 199 livres: .....

199- — —

One embroidered cotton skirt and its jacket, adjudicated to Sr. Lamathe for 180 livres: .....

180- — —

One calico skirt and cape, adjudicated to Sr. Lamathe for 130 livres: .....	130- — —
One linen skirt and cape, adjudicated to Sr. Lamathe for 160 livres: .....	160- — —
Two pairs of stockings, one of cotton and the other of thread, adjudicated to Sr. Lambert for 25 livres: .....	25- — —
One pair of silk stockings, one pair of shoes, one parasol, and one bonnet, adjudicated to Sr. Lamorandiere for 100 livres: .....	100- — —
One large cypress chest, with iron bands, adjudicated to Madame Frileau for 60 livres: .....	60- — —
One cellarette with twelve flasks, adjudicated to Sr. Lamorandiere for 65 livres: .....	65- — —
One musket and two steel staffs, adjudicated to Sr. Lamorandiere for 50 livres: .....	50- — —
Two iron kettles, adjudicated to Sr. Olive for 80 livres: .....	80- — —
Six earthen plates, one tureen and six dishes, adjudicated to Sr. Lamorandiere for 80 livres: .....	80- — —
One porringer, adjudicated to Sr. Lamorandiere for 35 livres: .....	35- — —
Ten tin spoons and four forks, adjudicated to Sr. Marion for 25 livres: .....	25- — —
Effects belonging to Bellanger:	
One blue cloth coat, one pair of breeches, and one pair of shoes, adjudicated to Sr. Lambert for 165 livres: .....	165- — —
One small chest, as it is, adjudicated to Sr. Lamathe for 30 livres: .....	30- — —
On said day, month and year, We, Claude Trenaunay Chanfret, Judge and Subdelegate at Pointe Coupée, closed the present judicial sale, the proceeds of which amount to the sum of 3314 livres. The sale was executed in the presence of Sieurs Lamathe, Marion, Olive, Sarrazin, and Duval, who signed these presents.	

(Signed): Lamathe; Olive; Sarrazin; Duval; Trenaunay Chanfret; Benoist, Clerk.

Memorandum of expenses of the above sale, and other costs of the successions.

**July 20, 1762.—Memorandum of the expenses made in regard to the succession of the late Sr. Francois Bonnaventure and Marie Bonnaventure, his wife; and of Jean Bellanger, viz:**

To Sieur Judge: for Inventory fee, 25 livres: .....	25- — —
To the Clerk: for fee and copy of Inventory, 52 livres and 10 sols: .....	52- 10- —
To the Clerk: for one Poster at the door of the Parish Church, 7 livres and 10 sols: .....	7- 10- —
To Sieur Judge: for sale fee, 25 livres: .....	25- — —
To the Clerk: for sale fee and copy of sale document, 32 livres and 10 sols: .....	32- 10- —
To the Clerk: for having cashed and kept on deposit the money coming from the judicial sale, at the rate of five per cent, 165 livres and 14 sols: .....	165- 14- —
To Pierre Ducoste: for hauling of said effects, 30 livres: .....	30- — —
To the Auctioneer: 10 livres: .....	10- — —
Making a total of: 355 livres and 14 sols: .....	355- 14- —
Other Memorandum concerning the sale of the buildings belonging to the Bonnaventure succession, viz:	
For three posters at the door of the Parish Church, on May 9th and 23rd, and on June 6th: 30 livres: .....	30- — —
For another poster at the same place, for the purpose of notifying the adjudication of said property: 10 livres: .....	10- — —
For the sentence of adjudication, of July 6th: 30 livres: .....	30- — —
For five per cent on sale price, 4500 livres, of said ground and house: 225 livres: .....	225- — —

I certify to the truth of the present statement. At Pointe Coupée, July 20, 1762. (Signed) : Benoist, Clerk.

May 12.

17 pp.

Petition by the Tutor and under-

**Petition to Our Lords of the Superior Council of Louisiana:**

Very humbly beseech Louis Bauré and Francois Foucher, in name and in their capacity of Tutor and under-Tutor of the

Tutor of the  
Carriere Succession  
to the Superior  
Council for the  
raising of seals,  
inventory and  
appraisal of the  
property of said  
succession.

minor children of the late Joseph Carriere, said petitioners having the honor to explain that seals have been affixed upon the holdings of the Carriere Succession; and considering the possibility that some perishable effects may exist under the

seals, and the advisability of ascertaining the holdings of said succession, the undersigned petitioners request that it may please you, Our Lords, to permit the verifying and raising of the seals, and the Inventory, description and appraisal of all the movable and immovable holdings of said succession, the whole before whomever, among Our Lords, that it may please you to appoint, and in the presence of the Procureur General of the King, and of the interested parties. And you will do justice. New Orleans, May 12, 1762. (Signed) : Boré, Foucher.

Petition granted.

**May 12, 1762.—The Council**, having read the above petition and having heard the conclusions of the Procureur General of the King, ordered and does order the examination and removal of the seals, and the inventory, description and appraisal of all the holdings of the Carriere succession; the whole to be effected before Mr. De Kernion, Councillor Assessor, appointed Commissioner in this case, and in the presence of the Procureur General of the King. Decision rendered in the Council-chamber, on May 12, 1762.

(Signed) : Huchet de Kernion; Kerlérec; Macarty; Delachaise.

Inventory, description  
and appraisal of the  
above holdings.

**May 12, 1762.—On May 12, 1762, at 2 o'clock P.M., by virtue of the order of the Superior Council on this day, at the request of Sieur Louis Bauré, Tutor of the minor children of the late Joseph Carriere, and in the presence of Sieur Francois Foucher, brother-in-law and under-Tutor of said minors, We, Jean Francois Huchet de Kernion, Councillor Assessor of the Superior Council, Commissioner in this case, together with Mr. De La Lande, acting Procureur General of the King, and the Royal Notary, went to the residence of the deceased Sr. Carriere to verify and raise the seals affixed according to Our procès-verbal of the 10th instant, and to proceed to the inventory, description and appraisal of the movable and immovable property and titles, deeds and documents belonging to said succession, which were presented to Us as sound and untouched by Sieur Boré. And being there in the presence of the undersigned gentlemen and of the Sieurs Carriere, children of full age of the deceased, We proceeded as follows, the appraisal being made by Marin Lenormand, sheriff and appraiser, who declared acting according to his conscience:**

First, in the hall of said house were found: one pair of andirons, appraised at 30 livres: .....

30- — —

One small Spanish jar and one bucket, appraised at 35 livres: .....

35- — —

Five plain wood chairs, appraised at 30 livres: .....

30- — —

One cypress and one walnut table, both with drawers, appraised at 30 livres: .....

30- — —

One goldleaf mirror, measuring 15 by 12 inches, appraised at 50 livres: .....

50- — —

We have verified and removed the seals affixed on an armoire, in which were found only a few clothes belonging to the children, while the armoire was declared as belonging to Sr. Decalogue.

In a room at the right of said hall:

One bedstead, one straw-mattress, one featherbed, one mattress, one pillow, one calico bedspread, one mosquito net, one bedtester with calico curtains, and curtain braces with iron rods: the whole bed declared as belonging to Demoiselle Carriere, minor:—For Memorandum.

One cypress table with a worn cover, a small mirror and six bandboxes for dresses, belonging also to said Demoiselle Carriere:—For Memorandum.

Two linen and calico window curtains, in bad condition, with their iron rods, appraised at 40 livres: .....

40- — —

One cypress bedstead, one straw-mattress, one featherbed, one pillow, one pair of sheets, one mosquito net, one calico bedtester with its rods, all of which quite worn, appraised at 400 livres: .....

400- — —

We found sound and untouched the seals affixed to the bottom of an armoire, and having removed them, We discovered only some wearing apparel belonging to said Demoiselle Carriere:—For Memorandum.

And also said armoire bottom was declared as belonging to said Demoiselle Carriere:—For Memorandum.

Seals were found intact on an armoire from which were removed and in which were discovered:

Six pairs of thread stockings, some in good condition and others worn, valued at 30 livres:

30— — —

Two old pairs of gray linen breeches, appraised at 10 livres: .....

10— — —

Two men's old shirts and eight collars, valued at 50 livres: .....

50— — —

Two pairs of lady's sandals, one earthen pitcher, one sheet: the whole appraised at 30 livres: .....

30— — —

Ten pounds of soap cakes, valued at 100 livres: .....

100— — —

One tablecloth and four napkins, all worn, valued at 20 livres: .....

20— — —

Said double-door armoire, with lock and key, appraised at 500 livres: .....

500— — —

One small cypress table with drawer, estimated at 10 livres: .....

10— — —

In a small adjoining room:

One Fayence soup tureen, one plate, and five dishes, estimated at 20 livres: .....

20— — —

Two cypress chests, valued at 15 livres: .....

15— — —

One silver cover and nine others, weighing altogether five marcs and six ounces, valued at 45 livres per marc, making a total appraisement of 258 livres and 10 sols: .....

258— 10— —

Sound and intact were found the seals affixed on the door of a small room at the left, in which were discovered:

One cypress bedstead, one straw-mattress, one featherbed, one pillow, one woolen blanket, one sheet, and one dressing-table curtain quite worn: the whole appraised at 250 livres: .....

250— — —

One wooden bedstead, one straw-mattress, one featherbed, one pillow, one pair of sheets, one woolen blanket, one Corise bedspread, one small pillow, and one burlap bed ruffle, in bad condition: the whole valued at 350 livres: .....

350— — —

One pair of sheets and one lounging robe in Calamanco, valued at 120 livres: .....

120— — —

One armchair and two overstuffed chairs, appraised at 25 livres: .....	25- — —
One commode with its chamber pot, valued at 15 livres: .....	15- — —
Fifteen dishes, one salad bowl, and one water pitcher: all of Fayence, estimated at 50 livres: .....	50- — —
Ten different coffee cups, four saucers, two teapots, one Fayence water pitcher, and three salt-cellars, valued at 15 livres: .....	15- — —
One Fayence shaving-mug, two glass gob- lets, two Freton flasks, three bottles, and two other small flasks, all empty, estimated at 30 livres: .....	30- — —
One cellarette and six empty flasks, one pepper grinder, one coffee grinder, one flask, one pair of wooden scales, and seven pounds of lead: the whole estimated at 35 livres: .....	35- — —
One complete syringe, appraised at 25 livres: .....	25- — —
One pie-mould with its lid, one flatiron, and one frying-pan in bad condition: valued at 25 livres: .....	25- — —
Two spit-irons, one gridiron, one old iron shovel, appraised at 20 livres: .....	20- — —
One hat and one woolen bonnet, one old woolen garment, one headless walking-stick, three old pairs of stockings, one Canton flannel waistcoat: the whole valued at 20 livres: .....	20- — —
Eight plain men's shirts, valued at 140 livres: .....	140- — —
Three sheets, valued at 80 livres: .....	80- — —
Six tablecloths, and twenty-one napkins, some in good and some in bad condition, ap- praised at 80 livres: .....	80- — —
One chest with no lock, valued at 10 livres: .....	10- — —
One hammer, one pair of pincers, two gimlets, two pairs of hinges, and fifteen pounds of scrapiron; the whole appraised at 50 livres: .....	50- — —

**On the gallery:**

One chest and one small table, both in bad condition, valued at 7 livres and 10 sols: ..... 7- 10- —

**In the yard:**

Two laundry washtubs, estimated at 20 livres: ..... 20- — —

**In the kitchen:**

One andiron, one bucket, and one pail, estimated at 25 livres: ..... 25- — —

One very large iron kettle, estimated at 120 livres: ..... 120- — —

Intact were found the seals on the door of the cellar, in which were discovered:

One large and one small Provence jars, appraised at 70 livres: ..... 70- — —

Three jars filled with olive oil: valued at 240 livres: ..... 240- — —

Two demijohns and thirty-one bottles, all empty, and one cellaret with nine flasks, estimated at 70 livres: ..... 70- — —

One wooden candle-mould, valued at 10 livres: ..... 10- — —

Two barrels with iron hoops, one of which containing about two hundred pounds of salt, appraised at 100 livres: ..... 100- — —

Two pairs of small wheels, and one small wheelbarrow, valued at 30 livres: ..... 30- — —

Three hundred pounds of salt, appraised at 150 livres: ..... 150- — —

One demijohn and three Provence cellarettes with empty flasks, valued at 30 livres: ..... 30- — —

**In one drawer of the armoire were found:**

Four thousand nine hundred and seventy-one livres and ten sols, in colonial currency (Treasury Notes): ..... 4971- 10- —

Forty-one piastres and two gourdes: ..... — — —

Ten piastres and five reaux and a half in Spanish money: ..... — — —

**Deeds, Titles and Documents**

Four documents: one containing the receipts and discharges of what said deceased owed to the Company of the Indies: and the other three concerning the same matter: the four documents marked with Letter "A": ..... A

Five documents: all deeds of property, referring to Lands and Plantations; marked with Letter "B": ..... B

One small Register, with five pages of writing: marked with Letter "C": ..... C

**Ground and House in the City:**

One piece of ground situated on Chartres Street, measuring sixty feet in front by one hundred and twenty feet in depth, adjoining the property of Sieur Destrehan on one side, and that of the Nouguez succession on the other side; which piece of ground is surrounded and enclosed by pickets, and on which is built a one-story house, with front and rear galleries; with another smaller building, rather old, standing in the yard; and with a kitchen, also built in the yard, in bad condition; no appraisal given:—For Memorandum.

All this having been accomplished, and nothing else having been found in this city, belonging to said succession, We ordered that on Friday morning We shall go to the Plantation of said succession, with the purpose of proceeding to the Inventory of what will be discovered there.

All the contents of the present Inventory were left in the keeping and possession of said Sieur Bauré, with the consent of the interested parties and of the Procureur General of the King; and Sieur Bauré took charge of same, promising to produce them whenever requested to do so. Ordered and passed on said day, month and year, at six o'clock P.M. And have signed.

(Signed): Foucher; Boré; Joseph Carriere; J. Carriere; A. Carriere; Noel Carriere; Mathurin Carriere; Lenormand; Delalande; Huchet de Kernion; Chantalou, Notary.

Inventory and  
appraisal of the  
effects of the  
Carriere succession  
on the plantation.

**May 14, 1762.**—On the 14th of said month and year, at seven o'clock in the morning, upon request and in the presence of the persons above mentioned and undersigned, We, Councillor Assessor, Commissioner appointed in this case, together with the Procureur General of the King, the Royal Notary of this Province, and the Sheriff of the Council, departed from New Orleans, our residing place, with the purpose of transporting ourselves to the plantation belonging to said Carriere succession, and

reached our destination at about half past eight in the morning. We met there Sieur Jacques Carriere, elder son of said deceased, who usually resides on the plantation, and who declared that nothing had been taken away from the holdings of the succession.

Then We proceeded to the description, appraisal and inventory as follows:

Firstly: in the first room, entering the house, We found:

One Provence jar, appraised at 60 livres: 60— — —

Nine old caned chairs of plain white wood, appraised at 6 livres: 6— — —

One copper candlestick, appraised at 6 livres: 6— — —

One cypress bedstead, one straw-mattress, one featherbed, one pillow, one sheet, one woolen blanket: the whole appraised at 150 livres: 150— — —

Two old cypress tables and two benches, appraised at 10 livres: 10— — —

One cypress armoire in bad condition, with no lock, estimated at 30 livres: 30— — —

In another small room were discovered:

One cypress bedstead, one straw-mattress, one old moss-mattress, one pillow, one sheet, one woolen blanket: the whole valued at 150 livres: 150— — —

One cypress bedstead, one featherbed, one pillow, one sheet, one ox blanket, one woolen blanket: the whole appraised at 150 livres: 150— — —

Four iron kettles, three of which are in very bad condition, valued at 20 livres: 20— — —

In the yard:

One sow and five small pigs, valued at 250 livres: 250— — —

One complete plough, very old, estimated at 100 livres: 100— — —

One grindstone with its crank, belonging to said Sr. Jacques Carriere, valued at 100 livres: 100— — —

One cypress pirogue, rather large, with four oars, appraised at 150 livres: .....	150- — —
Two chisels and three wimbles, valued at 50 livres: .....	50- — —
One bizague, two flat adzes, and one round adze, valued at 80 livres: .....	80- — —
Three chisels, two gauges, three hammers, one quarter-staff, one wrench and two jointers: the whole appraised at 80 livres: .....	80- — —
Seven scythes and seven indigo cutters, estimated at 40 livres: .....	40- — —
One devil chain, valued at 50 livres: .....	50- — —
Three double-handled knives, one hand-saw, one carpenter's work-bench, one small pair of hand pinchers and one shingle-cutter: the whole valued at 75 livres: .....	75- — —
Seven old hatchets, valued at 80 livres: ....	80- — —
Four old spades, appraised at 40 livres: .....	40- — —
Three long saws, and three small saws, and one crosscut saw: all badly worn, appraised at 100 livres: .....	100- — —
Eleven pickaxes, old and in bad condition, estimated at 50 livres: .....	50- — —
One pair of hinges, one pair of latches, two pirogue rudders, two door locks, and two iron pegs: the whole appraised at 30 livres: .....	30- — —
One old indigo pail, valued at 10 livres: .....	10- — —

**Cattle:**

Five work-oxen, valued at 2500 livres: ....	2500- — —
Four cows, estimated at 1600 livres: .....	1600- — —
Three young bulls, eighteen months old, estimated at 600 livres: .....	600- — —

**Negroes, Negresses, Negro Boys, Negro Girls:**

One negro named Marche A Terre about 60 years old, and his wife named Margot, about the same age: appraised together at 1000 livres: .....	1000- — —
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One negro named Belledent, about 60 years old, and his wife named Catin, about the same age: valued together at 1000 livres:	1000- — —
One negro named Charlot, about twenty-six years old, valued at 5000 livres:	5000- — —
One negro named Baptiste, about twenty-five years old, valued at 5000 livres:	5000- — —
One negro named Jean, about twenty-five years old, valued at 5000 livres:	5000- — —
One negro named Jacques, about twenty-two years old, valued at 5000 livres:	5000- — —
One negro named Pierre, about twenty-two years old, valued at 5000 livres:	5000- — —
One negress named Louison, about thirty-five years old, valued at 3000 livres:	3000- — —
One negress named Marianne, about twenty-six years old, valued at 4000 livres:	4000- — —
One negress named Jeannette, about twenty years old, and her daughter named Marie Josephe six months old, valued together at 4500 livres:	4500- — —
One negress named Manon, about twenty-five years old, valued at 4000 livres:	4000- — —
One negress named Marie, about thirty-five years old, valued at 4000 livres	4000- — —
One negress named Therese, about forty years old, valued at 4000 livres:	4000- — —
One negress named Marthon, about thirty years old, her son Charles about ten years old, and her daughter Helene about six years old: valued together at 6000 livres:	6000- — —

The plantation consists of fourteen arpents of frontage, by the customary depth, adjoining on one side of the property of Sieur Cazelard, and that of Sieur Thiton on the other side.

On the plantation stand: a house, in bad condition; some enclosures; and some negro-cabins.

No appraisal given:—For Memorandum.

It has been declared that the Succession owes the funeral expenses and the Doctor's fee; that it owes the sum of 52 livres and 10 sols to Sieur Braquier; and that there is an account to be settled with the baker.

This is all that was found on the Plantation, according to the statement and assertion of said Sr. Jacques Carriere.

All the effects mentioned in the Inventory were entrusted to the care and keep of Sr. Bauré, with the consent of the under-Tutor and the Procureur General of the King.

And we finished and closed the present Inventory. Executed on said Plantation on said day, month and year, at two o'clock P.M., in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses; and have signed. Then we returned to New Orleans, our place of residence.

(Signed): J. Carriere; Boré; Foucher; Lenormand; Delalande; Huchet de Kernion; Bary.

May 17.

No. 8169. 6 pp.

Receipt by Jean Cazelard to De Rochemore for over 72,000 livres, for account of one Jean Darragory of Campeche.

**Before** the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Jean Cazelard, inhabitant of this colony, at present in this city, acting in the name and under procuration of Sieur Jean Darragory, residing at Campeche, according to act passed before Sieur Alexandre Duque de Estrade, Royal and Public Notary, at said place of Campeche, and translated from Spanish into

French by Sieur La Clede Liguest, merchant of this city, which translation is annexed to these presents.

Said Sr. Cazelard, in his said capacity, acknowledged having received this day in cash, in notes in colonial currency, from Mr. De Rochemore, Commissioner General of the Marine, Intendant and First Judge of the Superior Council of this province, the sum of 72,686 livres, 4 sols, and one denier, that had been remitted for deposit to said Mr. De Rochemore by Mr. de St. Martin, on November 22, 1760, with the purpose of being converted into Letters of Exchange upon the Treasurer of France in behalf of said Sieur Darragory, which transaction Sieur De Rochemore was unable to execute until this day.

Sieur Cazelard acquitted Sieur De Rochemore of said sum, and assumed, himself, the responsibility of same, to the effect of converting it into Letters of Exchange, as soon as it will be expedient.

Passed in the Notarial Office of New Orleans, on May 17, 1762, in the presence of Sieurs Marin Bary and Francois Broutin, witnesses.

(Signed): Broutin; Cazellar; Bary; Chantalou, Notary.

The annexed document above referred to is a copy of the act of procuration, special power of attorney, granted by Jean Darragory to Jean Cazellar. Act passed before Alexandre

Duque Destrade, Royal and Public Notary for the Indies, and one of the Notables of the city, in the city and post of St. Francois, on June 5, 1761.

The document is certified by Alexandre Duque Destrade, Royal and Public Notary; and it closes with the following statement: "There not being in this city any interpreter of the Spanish language, I have been begged by Mr. Cazelar to make the translation of the other part; in faith whereof I have signed on October 5, 1761." (Signed) : Laclede Liguest.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 21.  
No. 8174. 4 pp.

Marriage Contract  
between Thomas  
La Tulippe and  
Catherine Demarest.

**Marriage Contract** passed before the Notary of Pointe Coupée, between Thomas La Tulippe, native of Illinois, St. Sulpice parish, widower of the late Marie Catherine Ouigau, natural son of Claude Jouinau called La Tulippe and of Marie Jeanne, on one side; and Catherine Demarest, daughter of Francois Demarest, inhabitant of this Post, stipulating for his minor daughter, and of Catherine Ducros, on the other side.

Thomas La Tulippe assisted by Sieur Jean Lambert, Sergeant of the Marine Troops garrisoned at this Post, and by Sieur Jean Francois Lagault, his friends, for want of relatives. Catherine Demarest assisted by said Francois Demarest, her father; by Sieur Francois Marcantell; and by Sieur Jean Gabriel Legué.

Executed at Pointe Coupée, on May 21, 1762.

(Signed) : Lambert; Lagault; Marcantell; Leguay; Benoist, Notary.

The contracting parties and Francois Demarest declared that they could not write nor sign.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 24.  
No. 8175. 3 pp.

Marriage Contract  
between Estienne  
Gouro and Marie  
Louise Bouchard.

**Marriage Contract** passed before the Notary of Pointe Coupée, between Mr. Estienne Gouro, of age and enjoying his full rights, native of the city of Kaskaskia, parish of St. Francois, son of the late Estienne Gouro, in his lifetime blacksmith in said city of Kaskaskia, and of Marie Anne Millet, on one side; and Demoiselle Marie Louise Bouchard, daughter of the late Louis Bouchard, in life inhabitant of this Post, and of Marie Jeanne Lemoyne, who is absent on account of illness. Sieur Joseph Lafleur appeared in

behalf of Demoiselle Bouchard, stipulating for her, on the other side.

Mr. Gouro assisted by Sieur Jacques Desautels called La-pointe; and by Sr. Francois Marcantelle: his friends, for want of relatives. Demoiselle Bouchard assisted by said Sieur Joseph Lafleur; by Sr. Guillaume Lemoyne called Lenormant, her grandfather; by Sr. Antoine Sarrazin; and by Sr. Pierre Ledoux: all friends and inhabitants of this Post, for want of relatives.

Executed at Pointe Coupée on May 24, 1762.

(Signed) : Lafleur; Marcantelle; Sarazin; Benoist, Notary.

The contracting parties, and Guillaume Lemoyne, Jacques Desautels and Pierre Ledoux declared that they could not write nor sign.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 26.

8 pp.

Judicial sale of  
the movable  
property of the  
Joseph Carriere  
succession.

On May 26, 1762, at 9 o'clock A.M., by virtue of the order of the Superior Council of the 24th of the present month (which document is not in the file), upon the request of Sieur Louis Boré, in the name and as Tutor of the minor children of the late Sr. Joseph Carriere, was effected the judicial sale of the movable effects of said succession, that were found in said deceased's city residence. The Auction took place before Sieur Jean Francois Huchet de Kernion, Councillor Assessor of the Superior Council, Commissioner appointed in the case, and in the presence of Mr. De la Lande, acting Procureur General of the King, of the under-Tutor, and of the heirs of age: all undersigned.

The sale had been previously advertised in the customary manner. The Councillor Commissioner, assisted by the Clerk and the Sheriff of the Council, announced that the sale would be effected on condition that the purchasers should pay in cash for the articles adjudicated to them. Such articles were put down in the Inventory, description and appraisal performed on May 12th; and the total proceeds of the sale amounted to the sum of 7429 livres; which sum was entrusted to the keeping of Sieur Bauré, who shall give account of same whenever requested.

(Signed) : Boré; Joseph Carriere; Foucher; A. Carriere; J. Carriere; Lenormand; Huchet de Kernion; Delalande.

May 27.

No. 8176. 5 pp.

Marriage Contract  
between Louis  
Chauvin Beaulieu  
and Margueritte  
Hazeur.

**Marriage Contract** passed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Mr. Louis Chauvin Beaulieu, Officer of the Coast-guard Militia, inhabitant of Chapitoulas, of age and enjoying his full rights, son of the late Mr. Louis Beaulieu and of the late Dame Charlotte Orbanne Duval, on one side; and Demoiselle Margueritte

Hazeur, native of Mobile, Bishopric of Quebec, minor daughter of the late Messire Francois Marie Joseph Hazeur, in his lifetime Ecuyer, Captain of the Colonial Troops, and of Dame Marie Joseph de Lusser, who appeared also and stipulated for her minor daughter.

Sieur Chauvin Beaulieu assisted by Sieur Francois Chauvin Monplaisir, his brother; by Sieur Francois Demouy, also his brother; by Messire Delalande, Councillor Assessor of the Superior Council, acting Procureur General of the King, his uncle by marriage; by Sir Nicolas Chauvin Boisclair, Officer of the Coast-guard Militia, his first cousin; by Sr. Antoine Chauvin Desillet, Officer of the Coast-guard Militia, also his first cousin. Demoiselle Hazeur assisted by said Dame, her mother; by Madame de Bombel, her aunt; by Sieur Jean Pierre Devel de Chevenne, his first cousin; by Madame Devel, her aunt; by Mr. Francois Simars de Bellisle, Knight of St. Louis, Major of New Orleans, her friend; by Mr. Simars de Bellisle, Jr., Officer of the Colonial Troops, her cousin by marriage, and by Madame de Bellisle, his wife.

Act drafted at the residence of Dame Azeur, in said region of Chapitoulas, on May 27, 1762, in the afternoon, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Chauvin Beaulieu; Marie Margueritte Hazeur; Lusser Hazeur; Chauvin Boisclair; Chauvin Monplaisir; Demouy; Delalande; Desillet; Develle Bellile; Lusser Devell; Bellile, Jr.; Bellile; Chiron; Bary; Demouy Lange; Constance Hazeur; Darenbourg Boisclair; Faucon Desillet; Charlotte Desillest; Constance Desillest; Margueritte Develle; Dutisné Grondel; Felicité Grondel; Constance Grondel; Marie Grondel; Esnoul de Bellile; D'Oriocour; Chabert; Charlotte Demouy; Javolle Demouy; Chabert; Chantalou, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 28.

No. 8177. 2 pp.

Discharge to  
Jacques Jacquelin  
by Jean Frollo,  
acting for Ben-  
jamin Rasteau  
of Port-au-Prince,  
Santo Domingo.

**Before** the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Jean Frollo, merchant of this city, in name and acting under procuration of Sieur Benjamin Rasteau, merchant of Port-au-Prince (St. Domingo), as per private deed of February 22nd of the present year, exhibited by said appearer, who declared that, after having perused the accounts rendered to him by Sieur

Jacques Jacquelin, partner of said Sr. Rasteau, in all affairs, interests and trade concerning the Brigantine "Le Chasseur" and its cargo, in the voyage from St. Domingo to Curacao and from Curacao to this city, he has found that Sr. Jacquelin owes to Sr. Rasteau the sum of 220,221 livres, which sum Sr. Frollo acknowledged and declared having received in cash from Sr. Jacquelin, in Treasury Notes of colonial currency, and granted Sr. Jacquelin a general release, in reference to all and whatever business Sr. Jacqueline and Sr. Rasteau have conducted as partners in the past.

Passed in the Notarial Office of New Orleans on May 28, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : J. Klivian Frollo; Bary; Chiron; Jacquelin; Chantalou, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

May 29.

No. 8178. 4 pp.

Petition of Jean  
Frollo to de  
Foucault for  
permission to  
sell the boat  
"Le Hazard".

**Petition** to Mr. de Foucault, Commissioner General of the Marine, First Judge of the Province of Louisiana: Humbly prays Jean Frollo, owner and Captain of the boat "Le Hazard," at present in this port, explaining that he has the intention of selling said boat, of about twenty-five tons burden, with all her rigging and fully equipped, according to the Inventory hereto annexed.

This considered, may it please you, Sir, to allow the judicial sale of said boat, before one of the Lords of the Council, whom it may please you to appoint, and in the presence of the Procureur General of the King. And you will act rightly.

(Signed) : J. Klivian Frollo.

Petition remitted  
to De Kernion,  
Councillor Assessor.

justice may be rendered. (Signed) : Foucault.

**May 29, 1762.—Remitted** the present Petition to Mr. de Kernion, Councillor Assessor of the Superior Council, so that

Permit granted to  
sell above boat.

**June 1, 1762.**—Notice taken of the consideration given to the present petition and of the permit to sell said boat, provided the customary formalities be observed, before Us, and in the presence of the Procureur General of the King.

(Signed) : Huchet de Kernion.

Notice of sale of  
"Le Hazard" posted  
in the customary  
places by the Sheriff.

**June 28, 1762.**—I, Marin Lenormand, Sheriff of the Superior Council of this Province, by virtue of the order here above rendered, certify having posted up the present procés-verbal at the door of the Church, at the door of the Court, and at the mainmast of said boat, during three consecutive Sundays, on the 13th, 20th and 27th of the present month, in order to notify whomever it may concern. (Signed) : Lenormand.

Declaration of sale  
"Le Hazard" by Frollo  
to Jacques Jacquelain.

**May 29, 1762.**—Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Klivian Frollo, merchant of this city, who, by these presents, acknowledged having this day sold and transferred to Sieur Jacques Jacquelain, merchant of this city, who also appeared and signified his acceptance, one boat named "Le Hazard," at present moored at this port, of about twenty tons burden, together with her full equipment, rigging, sails and utensils, with no reserve and no retention, the whole as it appears in the Inventory that was made by the two contracting parties. The purchaser expressed his contentment and satisfaction over everything, having visited and examined the boat, which Sr. Frollo declared to have bought at Port-au-Prince and himself to have brought to this port.

The sale was agreed upon for the sum of 16,000 livres, that Sr. Frollo acknowledged having received in cash, by means of Treasury Notes of colonial currency, from Sieur Jacquelain, who remains true and free possessor and owner of said boat, which is guaranteed by the vendor as being clear and free from all debts, charges, costs, and mortgages.

Executed in the Notarial Office of New Orleans, on May 29, 1762, before noon, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses. (Should not this be June, instead of May 29, 1762?—Editor.)

(Signed) : J. Klivian Frollo; Jacquelain; Bary; Chiron; Chantalou, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 7.

No. 8180. 3 pp.

Procuration by  
Gilbert Maxent  
of New Orleans  
to Henry de la  
Salle of Cap  
Francois, Santo  
Domingo.

**Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Sieur Gilbert Maxent, merchant of this city, who, by these presents, constituted as his general and special attorney, Sieur Henry De la Salle, merchant of Cap Francois, Island and Coast of St. Domingo, to whom the constituent granted full authority and power to receive from Sieur Pierre Condé, residing at the extreme end of Isle a Vache, the sum of 6000 livres, remitted to him by his brother André Condé, according to acknowledgment certified and deposited with Le Doux, Royal Notary, and Le Gendre, also Royal Notary, at Caye Saint Louis, in the southern part of said island of St. Domingo, and to give to said Pierre Condé valid discharge; and in case of default or refusal of payment, to undertake any course and action, without limit or reserve, that might be necessary for the recovery of said sum; promising to accept as satisfactory and to approve and ratify all that will be accomplished by his constituted attorney.**

Drafted and passed in the Notarial Office of New Orleans, on June 7, 1762, in the presence of Sieurs Pierre Chiron and Marin Bary, witnesses.

(Signed) : Bary; Maxent; Chiron; Chantalou, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 7.

No. 8181. 6 pp.

Marriage Contract  
between Nicolas  
Laurent Delassize  
and Marie Perine  
Picquery.

**Marriage Contract passed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Mr. Nicolas Laurent Delassize, merchant of this city, native of Havre de Grace in Normandy, of age and enjoying his full rights, son of Sieur Louis Jacques Delassize and of Dame Anne Catherine Garentier; and**

**Demoiselle Marie Perine Picquery, minor daughter of the late Sieur Pierre Picquery and of Dame Jeanne Fadet, native of this city of New Orleans, Parish of St. Louis.**

Sieur Delassize assisted by Mr. De Coudreaux, Officer of the Colonial Troops, his friend; by Mr. Gardrat, Surgeon Major for the King in this city, his friend; and by Mr. Soubie, also his friend, Secretary to the Governor. Demoiselle Picquery assisted by said Dame Picquery, her mother; by Sieur Antoine Picquery and Sr. Nicolas Picquery, her brothers; by Mr. Delaunay, Officer of the Militia, her brother-in-law; by Mr. Brion, also her brother-in-law; by Mr. Le Blanc, Officer of the Colonial Troops, her relative by marriage; and by Mr. Caüe, her friend.

Executed in New Orleans, at the residence of said Dame Picquery, on June 7, 1762, in the afternoon, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : N'as Laurent Delassise; M. Picquery; N. Picquery; A. Picquery; Delaunay; Picquery; Brion; Jn. Soubie; Le Blanc; Caüe; Gardrat; Bary; Chiron; Picquery Delaunay; Avat; Le Blanc; Avat; Ducros; Wiltz; Ducros; Francois Caüe; Delaunay; Biot; Le Blane; Chantalou, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 16.

No. 8188. 4 pp.

Procuration by Governor Kerlérec and his wife to Thiton de Silegne of Paris, to take charge of the administration of their property and affairs in France.

Before the Royal Notary of the Province of Louisiana, residing in this city, appeared Messire Louis de Kerlérec, Knight of the Royal and Military Order of St. Louis, Captain of the King's vessels, Governor of this Province, residing in this city; and Madame Marie Josephe Charlotte Dubot, his wife, whom he duly authorized for the purpose of these presents. The two appearers stated and declared that, having several movable and immovable properties in France that may become deteriorated in consequence of their absence, they appointed and constituted as their General and Special Attorney, one capacity not to be derogatory to the other, Mr. Thiton de Silegne, at present residing in Paris or Versailles; and in his default, or in the matters and circumstances in which Mr. Thiton could not act, the appearers also constituted as their General and Special Attorney, Mr. Rannon, Lawyer of the King, residing at Quinper, in Lower Brittany: to both of whom, conjointly and separately, the constituents granted full authority and power to take charge of, in their lieu and name, and to manage and administer all their holdings in France, with no exceptions; to pay all sums that are duly owed by the constituents and to secure receipts; to receive all that may come to them by notes, promises, obligations, or otherwise and under any title whatsoever, and to give all discharges; to receive all rents of houses and farms, and all revenues, under any title, and to grant discharges, to make new leases, to liquidate and to divide; in case of Successions or Substitutions, to represent them without limit and everywhere; to consent to or to contest the execution of testaments or codicils; to do all repairs and improvements that said constituted Attorneys may deem convenient to the constituents' immovable properties; to make divisions and also to sell, should they consider it advisable, any or all their immovable properties to such persons and at such prices and under such clauses and conditions that said Attorneys will judge necessary, to receive the prices and to put the purchasers in good and valid possession and ownership of same; to take charge of all deeds, titles and documents; and

in case of default or refusal of payments by their debtors or tenants, to have them compelled thereto by all legal means, seizure, execution, sale, etc.; to appoint one or several Attorneys and to dismiss or substitute them; to negotiate, transact and to compromise amicably, and to pass and sign all necessary documents; and in general to do, in lieu and name of the Constituents Messire and Dame, all that any circumstances may require, for whatever cause or reason, without making it necessary to confer upon them any other or more special power than the one contained in these presents; promising to accept as satisfactory, and to approve and ratify all that will be executed by said constituted Attorneys.

Passed at New Orleans, in the Government Office, on June 16, 1762, before noon, in the presence of Sieurs Jean Soubie and Marin Bary, witnesses, residing here, who signed together with the Constituents Messire and Dame, and Us, Notary, after the reading of these presents.

(Signed) : Kerlérec; Dubot de Kerlérec; Bary; Soubie; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 16.  
No. 8189. 2 pp.

Procuration by  
Jacques Jacquelin  
to Pierre Arrivé  
for settlement of  
business matters  
in Santo Domingo.

Before the Royal Notary of the Province of Louisiana, residing in this city, appeared Sieur Jacquelin, merchant of this city, who, by these presents, constituted as his general and special Attorney, Sieur Pierre Arrivé, who is ready to leave for St. Domingo, granting him full power to conclude and settle all the affairs, without exception, that the constituent conducted

with his partner, Sieur Benjamin Rateau, merchant of Port-au-Prince, Island and Coast of St. Domingo; and, to that effect, to peruse all accounts, sales and liquidations; to pay whatever may be due and to secure discharges; to exact payments of what is due to the constituent and to give releases; and in case of default or refusal of such payments, to undertake all judicial acts that may be required to secure them; to constitute one or more attorneys and to revoke them; and in general to do, in the constituent's lieu and name, all that said Attorney will deem advisable, without making it necessary to confer upon him any other special power than the one contained in these presents: promising to accept as satisfactory, and to approve and ratify all that will be executed by said constituted Attorney.

Passed in the Notarial Office of New Orleans, on June 16, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Jacquelin; Bary; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 17.

2 pp.

Obligation of  
De Brémont to  
Thiton de Selegne  
deposited in the  
Registry by Jean  
Soubie.

I Acknowledge owing to Mr. Thiton de Selegne the sum of 492 livres, that he loaned me in cash.

New Orleans, October 23, 1758.

(Signed) : De Brémont.

(Signed, in margin) : Devergés; De Reggio; Ducros.

Deposited by Sieur Soubie, Secretary of Messire the Governor, to be preserved and filed together with the Registry's minutes; and, upon his request, two copies of the document were granted to him. New Orleans, June 17, 1762.

(Signed) : Soubie; Broutin, Clerk.

June 17.

No. 8191. 1 p.

Discharge by  
Jeanne Bachemin  
to Chantalou for  
sum of money  
coming to her  
from a succession.

On June 17, 1762, in the morning, before the Royal Notary of the Province of Louisiana, residing in this city, appeared Dame Jeanne Bachemin, widow Raguet, who, by these presents, acknowledged having received from Attorney Chantalou, Clerk, the sum of 990 livres, this being all, that remained in his hands, coming from the

Succession of late Jean Baptiste Baudreau Graveline, said sum representing an obligation of said Graveline in behalf of Sieur Raguet, dated December 10, 1722; of which sum the appearer declared free and discharged said Clerk, and promised to have him discharged also by and towards whomsoever it may be appertaining. Passed in the Notarial Office of New Orleans, on said day, month and year, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Veuve Raguet; Bary; Chiron; Broutin, Notary.

(Signed, in margin) : Devergés; De Reggio; Ducros.

June 17.

No. 8190. 3 pp.

Procuration by  
Philippe Grondel  
to his wife for  
management of his  
affairs during a  
trip he is about  
to make to France.

Before the Royal Notary of the Province of Louisiana, residing in this city, appeared Mr. Philippe de Grondel, Knight of the Royal and Military Order of St. Louis, Captain of the Fourth Company of the Swiss Regiment de Hallwil, garrisoned in this colony, who declared that, having to go to France, and having to leave here his family and a considerable business to

manage, he has constituted, by these presents, as his general and special attorney, Madame Louise Dutisné, his wife, to whom he granted full power to administer and conduct all his affairs in this colony; and to represent him and act, in his lieu, in whatever matter: promising to permit, approve and ratify all

that will be transacted and executed by said constituted attorney, his wife, to whom he granted also authority and power to give in marriage and to establish their daughters, and to assign them a dowry, as she will see fit and proper.

Passed in the Notarial Office of New Orleans, on June 17, 1762, in the presence of Marin Bary and Augustin Vincent, witnesses.

(Signed) : Bary; Vincent; Grondel; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 18.

No. 8195. 3 pp.

Procuration by  
Jean Baptiste  
Pradel to Charles  
Pradel, his son,  
to administer his  
affairs in France.

**Before the Royal Notary of the Province of Louisiana, residing in this city, appeared Mr. Jean Baptiste Pradel, former Captain of Infantry, residing on his plantation near the city, who appointed and constituted as his general and special attorney, Mr. Charles Pradel, his son, Marine Officer, to whom he granted full power and authority to manage and administer, in his lieu and name, all his holdings and business that he has in France, and to undertake any action that might be required to the effect of the present procuration; promising to accept as satisfactory and to approve and ratify all that will be transacted and accomplished by his constituted attorney.**

Passed in the Notarial Office of New Orleans, on June 18, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Bary; Pradel; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 18.

No. 8193. 2 pp.

Procuration by  
Marie Josephe  
Gauvin to Fran-  
cisco Xavier De  
Acosta to collect  
an annuity left  
her by Bienville,  
in case of his  
death.

**Before the Royal Notary of the Province of Louisiana, residing in this city, appeared Demoiselle Marie Josephe Gauvin, minor daughter of Sieur Jean Baptiste Gauvin, merchant of this city, who appeared also and duly authorized the appearer to the effect of these presents. Said Demoiselle Gauvin did hereby constitute and appoint as her general and special Attorney, Sieur Dom Francisco Xavier De Acosta, to whom she granted full authority and power, in case of death, may God not grant it, of Mr. Jean Baptiste De Bienville, former Governor of this Province, to receive from the directors or from the Treasurer of the Company of the Indies, the sum of 450 livres, as annuity constituted in said Demoiselle's behalf by Sieur Debienville;**

said annuity representing a capital of 4500 livres, as is stipulated in the contract passed before Messrs. Mouette and Marchand, Councillors of the King, Notaries in and for the jurisdiction of Paris; by which contract it is stated that said Demoiselle Gauvain, after the death of Sr. De Bienville, shall be entitled to such annuity, and shall receive said sum upon simple and exclusive receipt of her, without marital authorization, and without the authorization of the Mother Superior in the event that she should become a nun. In case of said Sieur De Bienville's death, said Demoiselle Gauvain, having been duly authorized as it is stated above, granted full power to her constituted Attorney, Sr. Dom Francisco Xavier De Acosta, to receive in her lieu and name and for her account the full amount of said annuity, that may have become due, and to give good and valid discharge; and in case of default or refusal of payment by said Directors, Treasurers or payers of said annuity, to have them compelled thereto, by all legal means; and in general to do in the name and behalf of the Constituent, for the recovery of said sum, all that in any case or by any circumstance might be required, without making it necessary to confer upon the constituted attorney any other or more special power than the one contained in these presents; promising to accept as satisfactory, and to approve and ratify all that will be executed by Sr. De Acosta.

Passed in the Notarial Office of New Orleans, on June 18, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Mari Joseph Gauvain; Gauvain; Bary; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 18.  
No. 8194. 2 pp.

Procuration by  
Claude Desbordes  
to Sr. Ferriere,  
his nephew, of  
Paris, to collect  
a legacy coming  
to him in France.

Before the Royal Notary of the Province of Louisiana, residing in this city, appeared Sieur Claude Desbordes, a resident of this city, who, by these presents, appointed and constituted as his general and special attorney, Sieur Ferriere, his nephew, residing in Paris, rue Traversiere, Faubourg St. Honoré, to whom he granted full power to collect from Dame widow Gillet, sister

of the Constituent, the arrears due and that will come from the testamentary legacy of the late Sieur Desbordes, burgess of Paris, in behalf of said appearer, and to give good and valid release; and in case of default or refusal of such payment by

said Dame widow Gillet, testamentary executrix of said late Sr. Desbordes, to have her compelled thereto by all possible means, to obtain judgments, sentences and decrees, seizures, executions and sales; to proceed to liquidations and divisions, to pay costs, bills, debts and obligations and give discharges; to pass and sign acts, documents, contracts and compromises, etc.; and to do all that could and would be done by the Constituent himself if he were present; promising to permit, approve and ratify all that will be executed by said constituted attorney.

Passed in the Notarial Office of New Orleans, on June 18, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Desbordes; Bary; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 18.

No. 8196. 2 pp.

Procuration by  
Pierre Dutillet  
and wife to Pierre  
Hardy de Boisblanc  
for recovery of  
15,000 livres  
coming to Madame  
Dutillet in France,  
on a Letter of  
Exchange.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Mr. Pierre Dutillet, Captain of a Company of the detached Marine Troops, garrisoned in this Colony; and Dame Jeanne Marest, his wife, whom he authorized to the effect of these presents. The two appearers stated and acknowledged having this day conveyed and transferred to Sieur Pierre Hardy de Boisblanc, Attorney for Vacant Estates, in this city,

who also appeared and signified his acceptance, one Letter of Exchange for the sum of 15,000 livres, drawn upon the Treasurers General of the Colonies by Sieur Destrehan, Treasurer in this city, in behalf and to the order of Sieur Duvergé, Secretary of Mr. De Rochemore, which Sr. Duvergé endorsed his order in favor of said Dame Dutillet. Said Letter of Exchange is now in the hands of Madame La Comtesse De Berulle, presently in Paris, who has been requested to cash said amount. The appearers, Sr. and Dame Dutillet, by these presents, granted authority and power to Sr. Hardy to recover from the hands of said Dame Comtesse De Berulle said sum of 15,000 livres, if it had been collected by her, and, if it had not, to recover the aforesaid Letter of Exchange, which belongs to Sr. Hardy, as per agreement, since he paid to Sieur and Dame Dutillet the specified amount of 15,000 livres, represented by said document.

Executed in the Notarial Office of this city, on June 18, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Maret Dutillet; Dutillet; Hardy de Boisblanc; Bary; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 21.  
No. 8197. 3 pp.

Procuration by  
Dame Marie Claude  
Therese Du Bot to  
Thiton de Selegne  
and Mr. Rannon,  
both attorneys in  
France to manage  
her property in  
that country.

Before the Royal Notary of the Province of Louisiana in this city, appeared Dame Marie Claude Therese Du Bot, duly authorized by her husband, Mr. De Villiere de Neyon, Captain of the detached Marine Troops, at present Commandant of Illinois, said authorization resulting from an act of procuration passed by him before Attorney Garic, on April 16, 1757. The appearer, Dame Du Bot, declared that,

having several landed properties in France that can become deteriorated in consequence of her absence, she has appointed and constituted as her general and special attorney, one capacity not being derogatory to the other one, Mr. Thiton de Selegne, at present residing in Paris or Versailles; and, in his default or in circumstances and for matters in which he could not act, Mr. Rannon, lawyer of the King, residing at Quinper, in Lower Brittany, to both of whom, jointly and separately, she granted full authority and power to manage and conduct, in her lieu and name, all her holdings and affairs in France, without exceptions; to make and receive payments, and to secure and grant releases; to proceed to liquidations and divisions; to pass and sign acts, documents, deeds, contracts, compromises, etc.; and in general to do all that could and would be done by the Constituent herself if she were present; promising to permit, to approve and to ratify all that will be accomplished by said constituted Attorneys.

Passed in the Notarial Office of New Orleans, on June 21, 1762, in the presence of Sieurs Jean Soubie and Marin Bary, witnesses.

(Signed) : Du Bot de Neyon; Bary; Soubie; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 22.

No. 8198. 3 pp.

Procuration by  
Dame Marie Louise  
Demellier widow  
of Jacques  
Boufler, to her  
brother, Robert  
Demellier, of  
Paris, for the  
management of  
her property and  
affairs in France.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Dame Marie Louise Demellier, widow of the late Jacques Boufler, inhabitant of this city, who appointed and constituted as her general and special attorney, Sieur Robert Demellier, her brother, residing in Paris, to whom she granted full authority and power to manage and administer in her lieu and name, all her holdings and business in France; to pay all sums that are duly owed by the Constituent and to secure releases; to receive all that may become due to her by notes, promises, obligations or otherwise and to give all discharges; and in case of default or refusal of payments by her debtors, to have them compelled thereto by all possible means, to obtain judgments, sentences and decrees, seizures, executions and sales; to represent her in everything and everywhere; to compromise, to pass and to sign acts, deeds, and contracts; to proceed to liquidations and divisions; to constitute one or more attorneys and to substitute or revoke them; to do all that could be done by the Constituent herself, if she were present, and to consent, for her, to the establishment of her daughters, Marguerite and Magdeleine Boufler, who are now living in Paris, and to constitute in their behalf, by marriage contract, a dowry in the amount that will be fixed by the Constituent in future correspondence; promising to accept as satisfactory and to approve and ratify all that will be executed by said appointed attorney.

Passed in the Notarial Office of New Orleans, on June 22, 1762, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Marie Louise Demellie; Bary; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 22.

2 pp.

Burial Record of  
one Benito Fonten-  
ette, who died in  
Havana, deposited  
in the Registry  
of New Orleans  
by Delivaudais.

I, Don Christoval De Sotolongo, acting Pastor of the parish church of St. Christopher of this city of Havana, do certify, for whom it may concern, that in the Burial Records of said Church at F. 107- 6th P.P. y N., is an entry of the following tenor:

"In the city of Havana on June twenty-third of the year one thousand seven hundred and fifty-nine was buried in this

Parochial Church of St. Christopher of this city Benito Fontenette, native of the city of Borgona (Bourgogne), his parents'

names were not given, domiciled in New Orleans, he received the Extreme Unction, and no statement was made of his having made a will. And I have signed. (Signed) : D'n Christoval de Sotolongo."

"As it appears from the original entry F.P.P. y N. recorded in the Register quoted above, which is in my charge, and in which I trust, upon request I issue the present copy in Havana, on June twenty-fourth, in the year one thousand seven hundred and fifty-nine. (Signed) : Christoval Sotolongo."

We, Francois Beloquin, being in charge, by order of the Court of France, of the interests of His Most Christian Majesty and of his subjects' welfare in this city of Havana, do certify, for whom it may concern, that the foregoing Extract of burial entry was given from the Records of the Parochial Church of this city of Havana, by the acting Pastor of said Church, who performed the burial ceremony for the late Mr. De Fontenette; and I do state that credit must be given to the signature he affixed to said extract. In faith whereof I have signed the present statement and affixed my customary seal. At La Havana, June 24, 1759. (Signed) : Beloquin.

Deposited by Mr. Delivaudais, Harbormaster, for the purpose of being preserved with our minutes. On his request a copy of the document was granted to him. At New Orleans, June 22, 1762. (Signed) : Livaudais; Broutin, Notary.

June 24.

No. 8199. 3 pp.

Procuration by  
Madame Marie Enoult  
Delivaudais de  
Fontenette, widow  
of the gentleman  
whose Burial  
Record is given  
in preceding  
entry, to Rastaud,  
of La Rochelle, to  
manage her affairs  
and property in  
France.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Madame Marie Enoult Delivaudais, of age and enjoying her full rights, widow of deceased Benigne Defontenette, in his lifetime Physician for the King, Botanist and Councillor of the Superior Council of this Province. The appearer, by these presents, appointed and constituted as her general and special attorney, Mr. Rastaud, Senior, merchant at

La Rochelle, to whom she granted full authority and power to receive, for her account and in her name, all the salary due to Sieur Defontenette, in his capacity of Botanist, until his death; to give valid receipt; to manage and administer all her holdings and business in France, to receive and make payments and to give and secure discharges, etc.; promising to accept as satisfactory and to approve and ratify all that will be executed by her constituted attorney.

Passed in the Notarial Office of this city, on June 24, 1762, before noon, in the presence of Sieurs Marin Bary and Pierre

Chiron, who signed together with the Constituent and the undersigned Notary, after the reading of these presents.

(Signed) : Marie Enoul de Livaudais, widow Fontenette; Bary; Chiron; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 28.

No. 8202. 4 pp.

*Marriage Contract  
between Ignace  
Broutin and Marie  
Jeanne Chauvin.*

**Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Monsieur Ignace Broutin, Officer of the Colonial Troops, minor but emancipated, native of this parish of St. Louis, Bishopric of Quebec, son of the**

late Francois Ignace Broutin, in his lifetime Engineer Captain of the King in this Colony, and of the late Dame Magdeleine Lemaire; said appearer being assisted and authorized to make the present contract by Mr. De Reggio, his Curator, Captain of the Colonial Troops; and Demoiselle Marie Jeanne Chauvin, native of this city, minor daughter of the late Sieur Jacques Chauvin, in his lifetime Officer of the Militia and merchant of this city, and of Dame Marie Jeanne Douville; said appearer being assisted and authorized to act herein by her mother.

Sr. Broutin assisted by Mr. Le Chevalier De la Ronde, Officer of the Colonial Troops, his brother-in-law; by Madame De la Ronde; by said Sr. De Reggio, his Curator; by Mr. Mongin, Officer of the Colonial Troops; by Mr. Demouy: all residents of this city. Demoiselle Chauvin assisted by her mother; by Mr. Le Marquis, Lieutenant of the Swiss Troops garrisoned in this colony; by Dame Le Marquis; by Mr. De la Barre, Captain of the Coast-guard Militia; and by Dame De la Barre.

Executed in the Notarial Office of this city, on June 28, 1762, in the afternoon, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Broutin; Chiron; Marie Jeanne Chauvin; Douville Chauvin; De Reggio; Pascalis Delabarre; Volant Delabarre; P. Marquis; Volant Marquis; Demouy; Ch. Delaronde; Broutin de Laronde; Mongin; Bary; Chauvin; Marie Chauvin; Delille De Mandeville; Philippe Ecuier de Mandeville, Lieutenant of Infantry, half-brother of Sr. Broutin, intended husband; Broutin, Notary.

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

June 30.

No. 8203. 3 pp.

Declaration in  
Registry by Marie  
Poulain and Anne  
Pierron, sisters,  
concerning landed  
property bought by  
their late mother  
from the late  
Jean Baptiste  
Lauthiere.

No deed having  
been passed concerning  
the transaction, the  
appearers deposited  
a letter by Lauthiere  
dealing with  
the matter.

with our minutes, so that certified copies of same may be given to whom it may concern; and signed on said day, month and year, in the presence of Sieurs Marin Bary and Pierre Chiron, witnesses.

(Signed) : Anne Pierrond; Marie Poulain; Bary; Chiron;  
Broutin, Notary.

Letter which  
is submitted  
along with  
the above  
Declaration.

August 9, 1760.—I Have the honor, together with my wife, of assuring you of our respect and of informing you, Madame, that I was honored by receiving letter dated June 19th last, by which you

ask me to settle our affair concerning the piece of ground that I have sold to Madame your mother. Said piece of ground is truly owned by her, and no one can dispute with her for its possession. I have received full payment for the property and give you hereby my acknowledgment and discharge. You ask me to have an act of sale passed before the Notary of New Orleans, or before the Notary of Pointe Coupée. It is my intention to come down to New Orleans before long, and then I will pass the act of sale before the Notary, in compliance with your request. Meanwhile I pray you to keep the present letter, as it will be useful to you, until the deed will be executed before the Notary. If you believe that it will be equally good for you to have the deed passed before the Notary of Pointe Coupée, you need only to inform me to that effect.

I am very truly, Madame, Your humble and very obedient Servant.

(Signed) : J. B. Lauthiere.

The letter is dated "At La Pointe Coupée, August 9th, 1760", and is addressed to "Madame Marie Poullin living in Louisiana at New Orleans."

(Signed, in margin of first page) : Devergés; De Reggio; Ducros.

(Translator's Note: The above declaration is written on the same paper used for the original letter. The ink of the letter is faded and it is difficult to read.—G. L.)

(To be continued)

*at  
cont*

## INDEX TO THE SPANISH JUDICIAL RECORDS OF LOUISIANA LXVII.

June. 1784.

(Continued from July, 1940, Quarterly)

By LAURA L. PORTEOUS  
(With Marginal Notes by Walter Prichard)

Spanish officials appearing in this installment:  
Pedro Piernas, Alcalde Ordinario and Acting Governor (1780).  
Juan Doroteo del Postigo y Balderrama, Auditor of War and Assessor General of Louisiana (1780); Notary Public and Clerk of the Royal Treasury (1784).  
Andres Almonester y Roxas, Notary Public and Clerk of the Court (1780).  
Pedro Bertonière, Deputy Sheriff (1780).  
Francisco Muñoz, Warden of the Public Prison (1780).  
Antonio Alvarez, Acting Warden of the Public Prison (1780).  
Pedro Cowley, Translator and Interpreter (1780).  
Martin Navarro, Intendant General of the Province of Louisiana.  
Bernardo de Otero, General Accountant and Acting Intendant.  
Rafael Perdomo, Notary Public and Clerk of the Court.  
Luis Lioteaud, Public Taxer of Costs of Court.

June 2, 1784.

**Certified copy of the incident of Juan Jose Dorquiny's escape from prison.**

No. 126, 22 pp.

Court of Acting Governor  
Pedro Piernas.

Assessor, Juan del Postigo.

Escribano, Andres Almonester.

This record is a certified copy and a part of the criminal prosecution of Juan Josef Dorquiny. [See May 24, 1784.] Like the main suit, it is dated the day the copy is completed and the original sent to the Supreme Council of the Indies, which is June 2, 1784. This case actually begins February 6, 1780. The first entry reads in part: Whereas it has been reported to His Honor that Juan Josef Dorquiny escaped from prison and has become a fugitive from justice, let this fact be made evident by a certification from the Warden of the prison and set down as a matter of record. An examination must

*This proceeding, which pertains to an incident connected with a case listed in the preceding installment, affords an*

excellent illustration of the care with which such an affair was investigated by the officials of Spanish colonial Louisiana. Although the investigation here reproduced took place in the early part of 1780, the records of the affair do not appear in the files until the matter has been finally disposed of, over four years later.

crime, who may be proven to have assisted Mr. Dorquiny, so as not to interfere with the course of this cause, and done return the records to the Court. (Signed) Piernas and Postigo, before Andres Almonester y Roxas, Escribano.

The Escribano then went to the Public Prison of this city to

Certification. Notify Warden Francisco Muñoz of the foregoing decree. He said he certifies in the best form that he can and must that Juan Jose Dorquiny has escaped from prison, having fled this morning at dawn. He saw him when he made his round at midnight, and at that time there was not the least sign of a breach in the wall of his cell. The Warden signed, to which the Escribano attests.

Pedro Piernas examines the breach in who had been commissioned to the wall and the means of escape.

Immediately then His Honor, make the examination, accom-

panied by the Escribano, went to the Public Prison of this city, and having seen the cell in which Mr. Dorquiny had been confined, after forcing open the door which was blocked with bricks taken from the breach, they found a hole in the wall built of brick and lime, which seems to have been made with a knife, or nail, large enough to permit a man to pass through, overlooking a small courtyard of the prison, to which he lowered himself by means of some sheets he had divided in half and knotted together, and by adding a piece of rope at one end with the other, by standing on a chair he crawled through the hole, and to place his feet on the ground he used two blankets and a pillow. There was no sign of his having scaled the prison walls, therefore he seems to have escaped with the consent of the said Warden, or by the door giving out on the courtyard where Jose Sorrilla, a Sergeant of Militia, is stationed, and in virtue of the foregoing decree he sets this down as a matter of record, which the Commissioner signed.

Certification of the copy.

This conforms to the original which now remains in the Escribano's possession, in the criminal suit prosecuted against Juan Jose Dorquiny, on a complaint brought by Antonio Marmillion, because the former had attempted his life, and in virtue of the foregoing decree he drew up the present on four sheets of

also be made of the place from which the prisoner escaped, and done let both proceedings be drawn up in certified copy and filed at the beginning of this incident instituted against any criminal and accomplice in the

common paper, stamped paper not being in use in this city. New Orleans, dated as above. In testimony of the truth. (Signed) Andres Almonester y Roxas, Notary Public.

[Note: Up to this point the record is the same as the part of the main suit which deals with Mr. Dorquiny's escape from prison.—L. L. P.]

Declaration.

The Official commissioned for these proceedings then caused the Escribano to administer oath to Francisco Muñoz, late Warden of the Royal Prison of this city, which he took by God and a Sign of the Cross, in conformity to law, under charge of which he promised to speak the truth, and being examined upon the decree that begins this incident he said it is true that Juan Jose Dorquiny, who was a prisoner in his keeping, escaped this morning through a breach he had made in the wall of the cell in which he was confined, by lowering himself with a sheet he had divided and knotted together for that purpose, and having descended to the courtyard he made his exit through the room occupied by the Chief of Militia, Josef Sorrilla.

Questioned at what hour did he make his rounds and whether he found anything unusual when he did? He answered that he made his first round at the prayer of the Ave Maria (Angelus), the second at about midnight, and the last at daylight, and besides he took Mr. Dorquiny his supper at about eight o'clock at night. He never at any time saw the least sign of a hole in the wall, nor an instrument that would indicate he intended to make one, because he had been made to give up the penknife he carried in his pocket.

Questioned does he know or suspect any person who might have helped to make the hole and assisted Mr. Dorquiny to escape, and whether the other prisoners heard any noise? The prisoners did not hear any noise and he does not suspect anyone. All he can say is that two days ago he gathered up some papers left by the negro, belonging to Jose Carrière, who brings food to Mr. Dorquiny. These were delivered to the Commander and are the ones he has exhibited. Since then the slave has not returned with any more food. He thinks that after his last round, at midnight, some tools were smuggled to the prisoner and were used by him to make a hole in the grating above one of the walled-up doors overlooking the Assembly House courtyard which faces a small window in Mr. Dorquiny's cell. He does not know who carries the keys of the doors of the said Assembly House leading to the said courtyard.

Several other questions were put to the witness concerning the case, but he said he did not know anything more than

what he has already declared. He said he is fifty years of age, and signed with His Honor, who ordered that the said Francisco Muñoz be held a prisoner in the custody of the acting Warden appointed by Pedro Piernas and that the papers exhibited be filed at the end of these proceedings. To all of which the Escribano attests. (Signed) Postigo; Muñoz. Before Andres Almonester.

Testimony of Sentinel Jose Sorrilla. Then His Honor caused Jose Sorrilla, Chief of Militia, to appear and take oath before the Escribano, promising to answer truthfully any questions put to him.

Where was he last night, to whom did he speak and upon what subjects? The witness said that after the Angelus he went to his room, behind the prison, had supper with his wife and at 8 o'clock P. M. they went to bed and he did not get up until 7 o'clock this morning, without having spoken to any person except his wife.

Asked whether his wife, or any person sleeping in his room, got up during the night and for what purpose? He answered that his wife got up about one or two hours after they had gone to bed, at his request, to heat a little water because he had been made ill by some frixoles or frijoles (beans) they had for supper. She opened the door leading to the courtyard to bring in a few pieces of wood, and when she had given him a cup of coffee she went back to bed. He does not think she got up again. However, for the greater part of the night he was awake with a pain in his stomach. No one sleeps in his room besides his wife and himself and they did not open the door again.

Questioned whether he knows anything about Mr. Dorquiny's flight from prison, or where he went? He answered that he knows nothing more than the news his wife gave him when she got up. At that time she told him some one had made a breach in the wall of one of the cells and had escaped by means of a sheet, but she did not tell him the name of the prisoner and until now the witness did not know that it was Mr. Dorquiny who had escaped. He thinks he fled through their room because the door giving out on the courtyard has no bolt and is kept closed with a piece of an axe placed against it. The door leading out into the street is opened and closed with a lock to permit anyone to enter and leave, but it is never left open.

Why is the door that gives out on the courtyard never closed at night? Because it has neither lock, key, nor bolt. He found it that way when the room was given to him and although he has notified the authorities several times to put a lock or bolt on the door, his request has had no effect.

Asked whether he knows who helped Mr. Dorquiny make the hole in the wall of his cell, or does he suspect anyone? He answered that he does not know, and although several other questions were put to him he said he knows nothing more than what he has already declared, which is the truth according to the oath he has taken. He is 53 years old, and he signed with His Honor.

Mrs. Sorrilla testifies.

Francisca Ramirez, wife of Jose Sorrilla, appears, takes oath, and upon being questioned answers as follows:

Where was she last night, to whom did she speak and upon what subject? Her husband came in just a little after sunset and from that time on neither of them left their room. Shortly after prayers (The Angelus) they had some frixoles (beans) for supper, then both went to bed at about 8 o'clock. When they had been in bed quite a while her husband asked her to get up and heat some water. She rose and gave him a little coffee to settle his stomach, then she went back to bed and did not get up again until 7 o'clock this morning.

Did she hear anything about Juan Jose Dorquiny's escape from prison during the early hours of this morning? She did not know he had made a hole in the wall of his cell. This morning when she got up she saw a broken place in the wall overlooking the courtyard and that someone had let himself down from it with a sheet, however she does not know who the person was.

Does she know who helped the fugitive escape through the aperture, who helped him to make it and where did he flee? She can not answer this question because she does not know anything about its contents, but she thinks he escaped through their room because the door leading into the courtyard has no lock and is usually open and is kept closed with a piece of an axe. The door giving out on the street is the one he is supposed to have used. It is opened for any person who wishes to come in or go out and is fastened with a lock on the outside and cannot be opened from within.

Questioned as to why she did not close the door to the courtyard as she did the one leading to the street? She answered because there was neither bolt, lock, nor key from the time her husband took possession of the said room, and although he had requested to have fastenings put on the door nothing had been done in the matter and that for present needs they use a piece of an axe propped against it when they go to bed at night, which really does not keep it shut, and that at the time she got up to heat the water for her husband and went into the courtyard to gather wood she left the door open, considering a piece of an axe a perfectly useless means of security.

Asked whether she, her husband, or any person sleeping in their room, knows anything about the said escape? She said no one sleeps in their room except themselves and that her husband knows nothing more than the information he has given in his declaration, and although other questions were put to the witness she said she did not know anything else. She is twenty five years old, and she did not sign because she does not know how to write.

Cupidon, Josef Carrière's slave, testifies. A negro, named Cupidon, belonging to Josef Carrière, is summoned and testifies, under oath, in answer to the following questions:

Did he carry dinner, breakfast and supper daily to Mr. Dorquiny since his imprisonment, who paid for these meals and who sent them? From the day of Mr. Dorquiny's arrest, his master has sent him his meals, and he thinks he pays for them himself. The witness has carried them every day.

Has his master or any other person corresponded with Mr. Dorquiny during his imprisonment? All he knows is that Mrs. Carrière smuggled in some papers hidden in a napkin sent with the food he carried to Mr. Dorquiny. He gave her the answers in the same way he brought them, and was warned by both to be careful, but he never suspected anything wrong until two days ago when the Warden of the Prison searched the dinner and found the correspondence. He reported this to Mrs. Carrière and ordered the sending of the meals discontinued. For this reason the witness did not return to bring them any more.

Questioned whether during the time he took Mr. Dorquiny's meals he saw either Mr. or Mrs. Carrière send any money, or tools? He answered that once Mrs. Carrière sent 6 pesos. He knows nothing else about this matter.

Asked whether Mr. Dorquiny corresponded with anybody else while in prison, and who helped him to escape? He said he knows nothing of what is contained in this question, and although others were put to him he said he did not know anything more than what he has already declared. He is twenty eight years of age, and does not sign because he cannot write.

Mrs. Carrière testifies.

Maria Chausfir, wife of Francisco Carrière, is summoned and under oath answers as follows:

Questioned whether she corresponded with Juan Josef Dorquiny while he was held in prison by His Honor's orders? She answered that once she put a paper in a loaf of bread,

worded so that neither the negro nor any other person could understand its contents, which was to be reduced to a written petition for presentation to His Honor, asking to be released from prison. She gave Mr. Dorquiny his food to sustain him.

Asked whether her husband knew about the paper she directed to Mr. Dorquiny, or that she had corresponded with him during his imprisonment? Mr. Carrière knew nothing of the contents of this question.

Asked whether the paper presented on page 8 (original file) is in her handwriting and the same she sent at another time with the food taken to Mr. Dorquiny while he was in prison? She answered that it is in her own writing and is the same she placed with the food at another time. This note was to advise him as to what she thought would be the most effective means to be used to bring about a reconciliation with his wife.

What means did she propose that she could not confide on paper? She said that to her way of thinking it was a delicate matter and therefore she did not wish to give advice.

How many papers did Mr. Dorquiny receive from her during his imprisonment? Only the one she refers to in her foregoing answer.

Questioned whether during Mr. Dorquiny's imprisonment she supplied him with money, or anything else? She answered that once she sent him 6 pesos, but nothing more.

Did her husband know she sent this 6 pesos and the last paper? No.

Asked whether the paper which Juan Josef Dorquiny directed to her contained any other matter? She said it was a piece of paper containing a few words, directed to her. She put it in her pocket, then lost it, and that is why she can not present this piece of paper to His Honor.

Questioned whether during Mr. Dorquiny's imprisonment he ever sent any letters through her to anyone? She said no, and stated that what she had declared is the truth. She is thirty years of age, and she signed with His Honor, to which the Escribano attests.

Mr. Carrière testifies.

Juan Carrière is summoned, takes oath and answers as follows:

Does he know anything about the escape of one of the prison inmates, and does he know or suspect the person who might have helped him? He has heard an Official say that it was the Guard who helped the prisoner to escape, and that the latter had made a hole in the wall of his cell. He knows nothing more concerning this question.

Does the witness know the person in his own house who supplied Mr. Dorquiny with money, or the means to make the breach? He knows nothing about the contents of this question.

Asked does he know who sent food to the prisoner and who supplied him the necessities for his subsistence? He answered that up to Wednesday he sent the prisoner his meals, but nothing more. Since then he does not know who has done so.

During Mr. Dorquiny's imprisonment did he send any paper or verbal message asking for anything, or upon any other subject? He said no, and that what he has declared is the truth. He is 50 years of age, and he did not sign because of his inability to use his hand.

Decree.

Whereas: With the merits which result from the foregoing summary, issue Writs of Arrest and Seizure of property against Josef Sorrilla and Francisco Muñoz, and let it be made evident by a certification from the Warden stating that he holds both men as prisoners. The Court will go there to take their confessions and to make the necessary charges against them. Issue requisitions to the Posts of this Province so that the person of Juan Jose Dorquiny may be apprehended and returned to this city. Let the papers exhibited, filed on pages 8 and 9 (original), be translated by Pedro Cowley, after he has accepted and taken oath in due form. February 7, 1780.

Note.

The Writ of Arrest that was ordered has been issued and delivered to the Deputy Sheriff. Dated as above.

A Second Note.

Thirteen requisitions have been issued for the Posts of Saint Charles, the German Coast, Acadia, LaFourche, Manchac, Pointe Coupée, Atakapas, Opelousas, Arkansas, Natchez, Rapides, Natchitoches and Illinois, pursuant to a decree of the Court, to which Andres Almonester attests.

Acceptation and oath.

In the city of New Orleans, on the said day, month and year (February 7, 1780), the Escribano notified Pedro Cowley of his appointment by the foregoing decree. He said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the duty assigned to him. He signed, to which the Escribano attests.

Translation.

In the city of New Orleans, on the seventh day of the month of February of the year one thousand seven hundred and eighty, Pedro Cowley, interpreter named to make a translation of the

papers filed on pages 8 and 9, in virtue of the appointment that he has accepted and the oath he has taken before the Escribano, makes his translation in the following manner:

You ask our advice upon your intentions. What can I say to you? You must follow what prudence dictates in all things, while if I were in your place I know what I would do, but I would not dare to give you any advice in this matter. It seems to me too delicate for me to suggest an easier way for you to follow in the midst of all your troubles. For the other part, that of the accusation, I cannot make a decision. If, unfortunately, by my advice you should be at fault, I would blame myself. I wish you had more light and intuition so that you could know the persons with whom you have to deal as I know them, then you would realize that you have no more zealous friend than I to serve you. The party has delivered them (the letters?) as you know, but has not been able to speak to you. I hope this afternoon to know the result. He has not met any one. He has tomorrow.

My true friends—As I have  
Second Letter. had a very high fever all night  
and the time is considerably long, I have decided to write the enclosed letters in the condition I now am. This does not bind me to anything. It is necessary to leave, if I can, as each thing has its time. I shall always know and recognize my true friends from the false ones or my enemies. I shall take the means my conscience dictates to thank them as they have merited. But at present, as it has to be done, I send you this letter for Mr. Piernas. Perhaps he will have left, as you tell me this friend is about to go away. Where is my letter to Mr. Galvez, who has also gone away? You are the only friends I have in this country to whom I can open my heart. Embraces for you both and all the family. If a Spanish book, bound in vellum, which I left on the chimney-piece is still there, will you send it to me. If you do not wish the letter forwarded through you, will you see that it is conveyed by some one who will inform me that it has been delivered, but as it is about the same matter I cannot see how it can inconvenience any one. My condition must touch every one. You say you cannot give me advice upon the matter in question, and for it I have already decided and formed my plan, as my conscience dictates. It is necessary to leave here, let it be by whatever means that may be possible. This is the important point and then we shall see that I have a very sorrowful overburdened heart. Do you know whether there is any secret way to fathom this house of abomination and dissimulation? If they had a mind like yours, a direct way of thinking like you, I would not have suffered so much. Oh God! how I have suffered and without having merited it. What humiliation, for the third time in my life I have shed tears.

The interpreter says this translation has been made well and faithfully, according to his knowledge and understanding.

Let any Minister of Justice, Writ of Arrest. Sergeant, or Commander, arrest

Chief of Militia Josef Sorrilla, pursuant to a decree rendered this day, in the case prosecuted against Juan Jose Dorquiny for having escaped from the Public Prison where he was held. Thus it has been ordered. New Orleans, February 7, 1780. (Signed) Piernas. By Order of His Honor. (Signed) Andres Almonester y Roxas, Clerk of the Court.

In the city of New Orleans, on Proceedings of Arrest. the eighth day of the month of

February of one thousand seven hundred and eighty, before the Escribano, appeared: Pedro Bertonière, Deputy Sheriff, who said that, in virtue of the foregoing Writ, he placed Josef Sorrilla in the Public Prison, as a prisoner, and in testimony whereof he sets this down as a matter of record. (Signed) Pedro Bertonière, before Andres Almonester, Clerk.

In the city of New Orleans, on Proceedings for seizing the property of Muñoz. the said day of the month of February of the year 1780, Pedro

Bertonière, Deputy Sheriff, accompanied by the Escribano, went to the room, between the doors of the prison, in which Francisco Muñoz makes his home, to seize his property, as decreed. The Writ is not carried into effect because they did not find any property to attach, except the bed and a few old clothes for his own use, but nothing of any value, and in testimony whereof he sets this down as a matter of record.

The Deputy Sheriff, accompanied by the Escribano, went to Josef Sorrilla's room to seize

his property, as ordered. The Writ did not have effect, however, because they did not find anything to attach, except a very poor bed and the clothes for himself and his wife, which were of no value, and in testimony whereof he sets this down as a matter of record.

On the said day he transferred Certification of the Warden of the Prison. the Wardenship of the Prison from Francisco Muñoz to Antonio Alvarez, acting ad interim, and the latter certified that he held Josef Sorrilla as a prisoner. He did not sign because he said he did not know how to write, to which the Escribano attests.

In the city of New Orleans, on Confession. February 9, 1780, Licenciado

Juan del Postigo, commissioned for this proceeding, accompanied by the Escribano, went to the Public Prison where he caused to appear before him a man who is a prisoner in this

case, and the latter took oath, before the Escribano, by God, Our Lord and a Sign of the Cross, in conformity to law, under charge of which he promised to speak the truth in answer to the following questions:

What is his name, where was he born, where does he live, what is his state, office and age? His name is Francisco Muñoz, he was born in the city of Granada, is a resident of this city, is a widower and is Warden of the Royal Prison. He is the age he has already declared.

Who arrested him, on whose order and for what cause, or does he suspect? Pedro Bertonière arrested him, he presumes because Juan Jose Dorquiny, who was a prisoner in his keeping, escaped, after making a hole in the wall of his cell, where the confessant had placed him in all security.

Why did he neglect the prisoners placed in his custody, why did he not make the customary rounds as he is obliged to do, and how does he account for the hole Dorquiny made in the master wall, for which purpose he needed the entire night? He said he made his three rounds, and when he did there was not the least sign of anything amiss, nor any instrument that would lead him to suspect the prisoner's intention to get away. Doubtless he was supplied with tools after his last round by means of the communication existing between the Prison and the Cabildo. The confessant could not help conditions, and although he had repeatedly asked to have them remedied, nothing was done in the matter.

Does he remember having made a declaration in these proceedings and does he wish to have it read to him and to have it made a part of his confession? He said yea, and having read his deposition to him word for word, as entered on the reverse side of page 4 (original), he said it is according to what he has said and that he affirms and ratifies it and would give the same testimony again in case it should be necessary

Countercharged with his denial that he neglected to watch the prisoners in his custody and had given one of them every facility to make a hole in the wall, as may be very well inferred, or else the confessant consented to supply the instruments, or permitted them to be supplied, because the Cabildo is closed with a key, therefore Dorquiny could not have escaped except with his connivance and help? He answered that he had no part in it and refers to what he has said above about the Cabildo. It must have been through this way that someone entered and left the tools to make the breach, because the King has taken a room for the Guard to keep their arms, where locksmiths are continually at work. The door is open for them to enter and leave, some pass out by the courtyard adjoining the prison cells, where there is a very

high ladder to the roof by which anyone can easily mount to the chimneys and drop tools down through them to the prisoners, without the confessant being able to prevent this danger. However, he has reported this matter many times, as he has already said.

Asked whether he knows he is responsible for the prisoners placed in his charge and that failing in this responsibility he must suffer the punishment established by law? He answered he knows very well that he is responsible for any who may escape through his carelessness, but he does not think he is in any way to blame for Juan Jose Dorquiny's flight, since he was not able to prevent him from making a hole in the wall, because of the reasons he has already stated. At this stage His Honor suspended this proceeding to resume it again when convenient.

*Jose Sorrilla's Confession.*

In the city of New Orleans, on the tenth day of February of the year one thousand seven hundred and eighty, Juan del Postigo, commissioned for this proceeding, accompanied by the Escrivano, went to the Public Prison, and arriving there caused to appear before them a man imprisoned there. Oath was administered and the following questions put to him:

What is his name, where was he born, where does he live, what is his state, office and age. His name is Josef Sorrilla, he was born in the city of Santa Herbes de Campo, a resident of this city, where he serves as the Chief of Militia, he is married and the age he has declared.

Who arrested him, by whose orders and for what cause, or does he suspect? He was arrested by Pedro Bertonière, Deputy Sheriff, by His Honor's orders, he presumes because Mr. Dorquiny escaped from prison on the night of the fifth day of the current month and he has been considered as an accomplice.

Questioned does he remember having made a declaration in these proceedings, and would he like to have it read to him and made a part of his confession? He answered yes, so his deposition, filed on page 10, was read to him word for word. He said it conforms to what he has declared, there is nothing to add to or take from it, and that he affirms and ratifies it and in case of necessity he will repeat his declaration.

Questioned how can he deny that he was an accomplice in Mr. Dorquiny's escape from prison, through a hole in the wall of his cell and by a door in the confessant's room? He answered that doubtless the prisoner knew the door of the confessant's room had neither lock nor key. He may have intended to make another breach in the wall when he reached the courtyard, in the part that faces the street, but when he

found, on pushing the door of the confessant's room, there was no resistance, he entered and passed out by the door communicating with the street. This was done so quietly that neither he nor his wife heard him, for if they had they would not have permitted him to leave.

Countercharged as to how he can deny the truth, excusing himself with frivolous pretexts, when there is no doubt but that he had entered into an agreement with the said Dorquiny to let him leave by his door, otherwise how would the prisoner have known conditions and the location of the said door? He answered that he refers them to what he has already said.

Questioned whether he does not know that it is a crime to help prisoners to escape from prison and that the laws have established grave penalties for those who commit such crimes? He is not ignorant of the contents of this question, but the confessant did not in any way concur in Dorquiny's flight, nor did he know of it until his wife told him of the breach in the wall.

At this stage His Honor ordered this proceeding suspended, but left open to question the confessant further when convenient. The said Sorrilla stated that what he has declared is the truth, under charge of the oath he has taken, and that he is of the age he has set forth in his deposition.

Decree.

New Orleans, March 23, 1780.  
Considering that Juan Josef Dorquiny has been placed as a prisoner in the Public Prison and his Honor has been informed that there were no accomplices and that neither Josef Sorrilla nor Francisco Muñoz, Warden of the said Prison, helped him to make the hole in the wall, let both be released from prison, for which this decree must serve as an order for their liberation, and let the interested parties be notified.

Notifications.

In the city of New Orleans, on the said day, month and year, the Escribano notified Antonio Alvarez, in person, of the foregoing decree.

The Escribano personally notified Francisco Muñoz of the foregoing decree.

The Escribano notified Josef Sorrilla, in person, of the foregoing decree.

Certification to the entire document.

This record conforms to its original which was remitted to the Supreme Council of the Indies, and in obedience to a Royal Order the present is set down on twenty-one sheets of ordinary paper, stamped paper not being in use in this Colony. June 2, 1784. Cross and Flourish. In Testimony of the Truth. (Signed) Rafael Perdomo. Rights to taxation.\*

[\*Note: This copy goes taxable as though it were an original document.—L. L. P.]

June 4.

Proceedings brought by Alexandro Lafosse, Captain of the Frigate, San Pedro, to prove that the losses and damages he has sustained in sailing his ship to this Port and the present condition of the cargo is through no fault of his.

No. 118, 86 pp.

Court of the Intendant General, Martin Navarro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

This case affords an interesting illustration of the procedure involved in proving that the damage suffered by a ship and its cargo was due to stress of weather and not to negligence or lack of skill on the part of the captain of the vessel. The student of the economic and social history of Spanish colonial Louisiana will find herein a mass of interesting information on methods of navigation, difficulty encountered in entering the mouth of the Mississippi in stormy weather, wages of certain kinds of labor, costs of various types of naval stores and building and rigging materials for ships, and certain other important items. The case came before the Court of the Intendant, which had jurisdiction in all cases of a commercial or maritime nature.

Declaration, or Marine Protest.

In the city of New Orleans, at about 8 o'clock in the morning of the 4th day of June, 1784, before the Escribano, appeared: Alexandro Lafosse, Captain of the Frigate, San Pedro, a resident of this city, known to the said Escribano, and he declared that he arrived in New Orleans, the day before, June 3rd, at 12 o'clock, having sailed from Guarico (Cap Française) for this Province, on April 6th of the current year. His voyage was without incident until April 27th, when he reached 29 degrees 2 minutes north latitude, with the wind from the southwest. They took soundings at 5 o'clock in the afternoon, finding at that time 40 fathoms of deep, black and very muddy water, which marks the approach to the mouth of the Mississippi River, and he steered from southeast to east, by the compass, then to the southwest to keep the ship in the same latitude. The wind having died down in the interval, they scarcely made 3 miles an hour, running a direct course up to 3 o'clock in the morning of the said day, and at that hour he

Alexandro Lafosse, Captain of the Frigate, the San Pedro, sets forth that he arrived at this Port the day before, June 3rd, at about 12 o'clock, from French Santo Domingo (Haiti), and that for ends convenient to him he prays it may please the Court to permit him to draw up a declaration (Marine Protest) before the present Escribano, stating the damages to the body and keel of his ship, suffered in the course of navigation, and the condition of his cargo, in order to prove he has observed all maritime laws so that no prejudice may result against him, and done deliver his declaration to him to enable him to promote what is convenient to his right. Bernardo Otero, acting for Martin Navarro, rules: As it is prayed.

sounded again and found 9 fathoms of water, for which reason he lay to, holding the vessel in the same position with the 2 main top sails. On that day, the 28th, a light wind blew from the south, and he sounded again and found 9 fathoms of water. He took bearings at sunset, after falling off to leeward with the prow west-southwest. He continued this course for a little while, when the sailor at the lookout on the main mast notified him that he saw land below in the direction of the prow, 2 Leagues away, seeming to be entirely submerged, and also the Belize. They were positively assured of their position by a part of the crew and some of the passengers who had made the voyage to the Province several times before.

The wind was then from the southwest, so he drew close to land to take the pilot on board. Following this manoeuvre they cast the hand sounding line and found the same depth of water up to 7:30 in the morning. The Quartermaster had occasion to go to the store-room to take out the rations for the crew, so he handed over the lead line to a sailor, which up to this time had been in his charge. At that moment the declarer's attention was occupied looking for the buoy at the entrance to the Belize, and feeling sure his ship was light enough for the passage, he took the soundings himself and found 2 fathoms of water full of black sand and a mixture of mud. Land still lay to the west and 2 leagues away. He very promptly crowded sails and lowered the launch and a boat to the water, and on these he extended an anchor with the stream cable 120 fathoms long, passed through the port hole of the main saloon, to draw the vessel without injury. The prow of the latter was to the northwest with the stream cable hauling taut. He then began to lighten the boat by removing several lots of merchandise and depositing them in the launch, and noting that the tide receded he had 30 barrels of wine placed in the water and lashed to the side of the ship to further lighten it. At 11 o'clock of the said day the wind freshened from the east-northeast, with rising tide and violently increasing head sea.

These conditions caused the boat to drift towards the coast, so they veered, putting the prow to the southwest. Sounding at 5:30 in the afternoon, there was not more than 7½ feet of water under the keel, and whereas the wind died down somewhat the sea was still very disturbed and its violent buffeting wore the ship down very much. He took measures to lower the top mast of the main top sail above its wedges and below its yards, but this proceeding did not produce the effect he had hoped. In this extremity it was necessary to cast 40 barrels of salt into the water, having previously opened them, to prevent the frigate from tipping over. They waited in this position for the wind to calm down until the next night. The tide at dawn remained the same up to the following day, the

29th, at 4 o'clock in the morning. He then put the second anchor in the launch with the necessary cable, extending it and raising the other anchor from the bottom of the Gulf, so as with the help of it to support the stream cable that had been previously dropped in the water. At 5 o'clock of the same day, with rising tide, he veered the ship in this way, placing the weight upon the anchor that had been lowered. There were then 8 feet of water below the keel, but the waves favored them and at 8 o'clock he succeeded in navigating his vessel in 12 feet of water. They weighed anchor, casting it again to the southeast where there was greater depth. In this position he decided to take on board the barrels of wine that had been lashed to the sides of the boat, but 12 of these were missing as they had drifted away without his being able to prevent it.

During the previous night he resorted to an inspection of the manger for the pump and found 23 inches of water which were drained off very quickly until there were 8 inches. An hour later upon going to make another examination he found 18 inches of water. They continued to drain off with the pump and tried thereafter to hold the intake to 10 inches an hour which was again pumped off. In the end, because of the labor of the ship, caused by the heavy sea, she took 18 inches an hour. Friday, the 30th of the said month, having veered upon the chest rope that had been stretched to raise it, they were still outside in 13 feet of water. Then casting the second anchor with 30 fathoms of cable it was decided not to ease the cable further, because the pitching of the ship had caused it to ground in 9½ feet of water, holding to the shoulder of a reef. At 2 o'clock in the afternoon of the same day, the wind having freshened from the southeast, the sea became greatly disturbed and they were so buffeted by the water that an 11 inch cable broke at the hawse hole, making them lose the anchor cast, together with the cable attached, said anchor weighed 12 quintals, and for this reason, because they were pulling upon the stream cable, he dropped the great anchor weighing 14 quintals, with a cable 13 inches thick.

The frigate was held in this condition up to 9 o'clock that night, then as the wind had calmed a little he raised the great anchor, veering upon the stream cable until he found a depth of 13 feet, where he cast the great anchor again with about 40 fathoms of cable. The first Saturday in May, at 9 o'clock in the morning, when the wind blew from the southeast, with the sea very disturbed, he intended to raise the anchor but noticed the cable was completely worn out and 3 pawls of the windlass broken, and because they had already lost one anchor under these circumstances they were obliged to wait for fair weather, which in fact they experienced at 5 o'clock in the

afternoon, when the wind fell a little. He now followed his intention to weigh anchor, employing the necessary tackles, tackle blocks and tackle clews. The reverse happened, causing the ship to pitch violently, and as a result he broke a small stream cable 4 inches thick which served to strap the blocks for greater strength. He was obliged to resort to the other stream cable so as to reeve the tackle for better security, but at this stage a blow from the outrigger, more violent than the rest, broke the tackle block, hoisting tackle and 2 cords of the cable, making it impossible for him to veer on his anchor. From that time onward he had to resort to the stream cable which held firmly, and at the same time he lengthened it so that it would not be broken. He also arranged to send a competent person, in the launch, to weigh anchor with a buoy rope, but the wind having freshened the sea became frequently disturbed. It began to get dark, as night was coming on, the stream cable was working perfectly, but the men who had been sent to weigh anchor returned on board, stating that owing to the fury of the disturbed sea and the bad outlook of the weather it would be impossible to raise the anchor, for if the stream cable gave way they ran the positive risk of grounding again without any hope of saving themselves.

Because of these dangerous conditions, he made (fast) the main yard, over the clamps, and decided to cut the cable above its staple hoop, thereby losing about 40 fathoms of it together with the great anchor previously cast. This manoeuvre was put into execution on the advice of the other officers on board. In this precarious position he veered upon the stream cable, placing the ship in danger. At 8:30 that night, having rigged the ship and set the 2 main sails, the lesser top sail, the fore and aft mizzen sails, cutting the anchor, he noticed the shaft was bent and that the cable was broken more than three fourths of its length, near the anchor. Running in this condition with the prow to the south, they had the wind from the east-southeast until 2 o'clock in the morning, when they found 3 fathoms of deep, black water. From this point they veered from the side abaft so as to pull away from land. At this time the current was to leeward until the ship was in 2½ fathoms of water. While in this position, the wind calming down, he crowded all sails and cast anchor with 2 stream cables for greater safety. On May 2, at daybreak, he saw land and recognized Round Bay, to the north-northeast of the Belize, about 6 leagues from it. The following day, the 3rd, he sent his launch to the Belize to ask help. A boat was sent to his assistance, belonging to Mr. Chaluneaud, which had come down the river. The latter lent a cable with an anchor weighing 14 quintals. He dispatched a courier to Mr. Poifree (Poeyfarre) of this city and vicinity, asking him to send down anchors for the safety of the ship, and some workmen, with-

out loss of time, to help them man the pumps which had been worked unceasingly since grounding. On the 11th day of May, at 11 o'clock in the morning, a pirogue came down bringing an anchor lent to him, 5 men and their skipper, of whom he kept 3 on board and sent away the others with the said pirogue on May 21st. From this place they entered the river and came up to the city without any particular incident, arriving here yesterday, the 3rd of the current month.

In consequence whereof, and so as not to be held responsible for the said losses, arrears, prejudices, injuries and damages that have resulted to the cargo he carried on the frigate under his command, he protests once, twice, three times and as many times as the law requires, so that in virtue of same they may not be charged to his account and risk, but to whoever has place in law. He also protests and demands his right to reclaim, before a competent Judge, in every place and time and against whomsoever he can and must (take action, or defend himself ?). Thus he has authorized and signed, the witnesses being Francisco Carcasses and Manuel Monrroy, here present. (Signed) Alexandro Lafosse, before Rafael Perdomo.

Alexandro Lafosse sets forth  
Alexandro Lafosse petitions to present that, as may be proven from his  
witnesses.

declaration which duly accom-

panies this petition, he suffered great losses to some parts of his cargo, and it is also evident from his protest that his ship sustained damages as a result of grounding and other calamities that have overtaken him, in virtue of which and in order that it may be proven that these losses and damages were through no omission nor malversation on his part and that in the future they may be charged to the account of the one who may have place in justice, he prays His Lordship to receive the testimony of the witnesses he will present, who after taking oath in due form of law, subject to its penalty and without delay, will declare to the principal of what he has said in his protest, and done deliver their depositions to him to promote what is convenient to him.

In a secondary petition he states that in order to verify the damages and losses his ship and cargo have sustained, may it please the Court to name, for the examination of the said ship and a verification of the losses to the cargo, two ship Captains, a master ship-carpenter and two persons of this city well versed in maritime matters, and that these appointees, assisted by the Escribano, being present at the unloading of the said ship and confronted with the bills of lading, may arrive at a knowledge of the losses he has suffered, and done deliver the finding of their examination to him. Martin Navarro, although he does not sign, on Postigo's advice, decrees: In the principal petition, to let the testimony this party offers

be received, the taking of it to be entrusted (to the present Escribano). To the secondary petition, let Antonio Santana and Francisco Mayronne of this city, together with Juan Lacoste and Pedro Aubry, Ship Captains, and Pedro Visoso and Francisco Anyolin, Master Ship-Carpenters, be present for the unloading of the San Pedro, to examine and compare the cargo with the bills of lading, in the way requested. But before proceeding with this assignment the abovenamed gentlemen must be notified for their acceptations and oaths, and done let their finding be delivered to Alexandro Lafosse.

In New Orleans, on the seventh day of June of the year one thousand seven hundred and eighty-four, pursuant to the foregoing decree, the Escribano, accompanied by Antonio Santana and Francisco Mayronne, residents of this city, went on board the San Pedro, anchored at the levee, for the purpose of carrying out the foresaid decree, and upon comparing the cargo on board the frigate with the original bill of lading which the Captain exhibited, in accordance with the oaths they have taken, after examining the cargo with minute attention, they found the following items missing: 5 barrels of wine, marked No. 5 /<sup>vo</sup>; 4 barrels, the same, marked No. 5 P √; 3 barrels, the same, marked B, and 40 barrels of salt. They state they have made this examination well and faithfully to the best of their knowledge and understanding, without injury to the party, and they signed, to which the Escribano attests.

Declaration of the witnesses.

In the city of New Orleans, on the eighth of June of the year one thousand seven hundred and eighty-four, Alexandro Lafosse, for the evidence he has offered to give and that has been ordered received, presents as a witness Estevan Noel, Quartermaster of the frigate, and oath was administered by the Escribano in virtue of the commission conferred upon him by the foregoing decree, which was taken by God and the Cross, according to law, under charge of which he promised to speak the truth, and being examined upon the Protest presented by the Captain, he said he came to this Port employed as Quartermaster on the San Pedro, cleared from Guarico for New Orleans on April 16th of the current year. The voyage was made without any particular incident until April 27th, when according to the pilot they had reached 29 degrees 2 minutes north latitude, with the wind from the southwest. Soundings were taken at 5 o'clock in the afternoon when they found 40 fathoms of black, muddy water which led them to suppose they were near the mouth of the Mississippi River, from whence steering from southeast to east by the compass, then to the southwest, they followed this route until 3 o'clock in the morning of the following day, at which hour they took

soundings again and found 9 fathoms of water, and for this reason the ship lay to and held this position with 2 main top sails in a high wind. That day, the 28th, at dawn, the wind having fallen to the south, sounding once more they found 9 fathoms of water. At sunset the prow was changed from west to southwest, falling off to leeward as much as possible. A little while later the sailor at the lookout, at the main mast head, notified them that he saw land below the prow, 2 leagues away, and also that it was the Belize. Many of the crew and passengers, who had made the voyage to this Province several times before, assured them it was the mouth of the river.

In this position, with the wind from the southwest, they lay to, to take the pilot on board. Just after, the witness made soundings with the hand lead line up to 7:30 o'clock in the morning, when he had occasion to go to the pantry to get the rations for the crew. He handed the sounding lead to one of the sailors, and a little while after he reached the pantry he felt the ship touch ground. When this incident happened, leaving everything at hand he went to assist with the sounding and found the water only 2 fathoms deep, composed of sand and black mud, the land still lying to the west, 2 leagues away, and for this reason they crowded sails and lowered the launch and boat, and with these extended the anchor with 120 fathoms of stream cable which was passed through the port hole of the main saloon, thus changing position of the vessel and bringing the prow to the northwest. They then began to lighten it by taking out much merchandise and placing it in the launch, but because the said lightening was not sufficient and seeing that the tide was rising they got into the water themselves and tied 30 barrels of wine to the side of the ship. At 11 o'clock of the said day the wind freshened from the east-northeast, causing a strong head sea which worked the San Pedro to the coast to such an extent that it made the prow veer to the southwest. At 5:30 o'clock in the afternoon, upon sounding, there was not more than 7½ feet of water under the keel, with diminishing wind, but an increased head sea, and because of these conditions the top mast of the main top sail was lowered above the wedges and below the yards. After that 40 barrels of salt were opened and thrown into the water to prevent the ship from inclining to much. This position was maintained until 4 o'clock in the morning of the next day, the 29th, when they put the second anchor in the launch with the necessary cable, which was dropped to sustain the stream cable. At 5 o'clock of the same day he saw the frigate veer upon this anchor, in 8 feet of water, and shortly after, at 8 o'clock, there were 12 feet of navigable water, then upon weighing anchor and extending it again they found a greater depth and sufficiently deep to take the foresaid barrels of wine

back on board, which had been fastened to the sides of the ship. Twelve of these were missing because they had drifted away the night before.

When the witness went to examine the pump he found 23 inches of water, which was drained off during a period of 1 hour until only 8 inches remained. Later they found 18 inches and subsequently, because of a head sea, they took from 8 to 10 inches an hour. On Friday, the 30th of the said month, they veered upon the chest rope, drawing it out further so as to put the frigate in 13 feet of water. They then cast the second anchor with 30 fathoms of cable, but it was not convenient to extend it any more because the ship, in pitching, had grounded. The San Pedro was then in 9½ feet of water where it remained on the shoulder of a reef with a high wind blowing from the southeast, the sea greatly disturbed, and so buffeted by the waves that an 11 inch cable was broken at the hawse hole, causing them to lose the part that was in the water and consequently the anchor, weighing 12 quintals, already dropped. For this reason and because of the pulling upon the stream cable, they cast the great 14 quintal anchor attached to a 13 inch cable. They remained in this condition until the wind calmed down at 9 o'clock that night. The great anchor was then raised, the boat veering upon the stream cable, until they found a depth of 13 feet. In this position they cast the great anchor again with 40 fathoms of cable.

On Saturday, May 1st, at 9 o'clock in the morning, with both wind and sea strong, they raised the anchor, and it was then noticed that the cable was completely worn out and 3 pawls of the windlass broken. Because of these conditions they waited for fair weather, which became possible at 5 o'clock in the afternoon. From that moment they proceeded to weigh anchor, using the necessary tackles, tackle blocks and tackle clews, for the purpose. These manoeuvres caused the ship to pitch, which broke a small 4 inch stream cable that served to strap the blocks to strengthen them, making it necessary to reeve the tackle. At this stage a blow from the outrigger, more violent than the rest, broke a hoisting tackle, pulley and 2 cords of the cable, which prevented them from veering upon the anchor, and this had to be accomplished by the use of the stream cable which held firmly. Men were sent on the launch to weigh anchor with the buoy rope, but because of the high wind and sea this manoeuvre had no effect, and considering the great danger of this last attempt, it was decided to make fast the main yard, over the clamps and to cut the cable above the staple hoop, thereby losing 40 fathoms of it together with the great anchor that had been previously cast, leaving the ship to veer upon the stream cable which placed it in danger. The San Pedro was held in this position

until 8 o'clock that night, when they set the 2 main sails, the lesser top sail, and the fore and aft mizzen sails. Upon cutting the anchor, he noticed the shaft was bent and the cable broken near the anchor. They ran with the prow to the south, with the wind from the east-southeast, until 2 o'clock in the morning when they found 3 fathoms of black water near land. In order to sail away from it they veered abeam, but lacking wind and with the currents to leeward, the boat was carried into 2 fathoms ( $2\frac{1}{2}$ ?) of water. At this point, crowding all sails, they dropped the remaining anchor, with 2 stream cables for reinforcement.

On May 2nd, at daybreak, they recognized Bound Bay to the north-northwest of the Belize, 6 leagues away from it. From this point they sent a launch to the Belize to ask for an anchor, cables and everything else necessary for the safety of the vessel. The said launch returned with a 14 quintal anchor and cable. On May 11th, at 11 o'clock in the morning, 5 men, including the skipper, arrived in a pirogue, bringing an anchor. On May 21st, the pirogue was sent back, leaving 3 men on board to help work the pumps, which they did, without stopping, from that point until the river was entered. They returned to the city, June 3rd.

He answered that what he has declared is the truth under the oath he has taken, he is 37 years old, and he did not sign because he said he did not know how to write. The Escribano attests to all of the above testimony.

Other witnesses, namely: Juan Lanna, 2nd Quartermaster, Francisco Ringuet, Ship-carpenter, Domingo Blanc, Juan Portule, Antonio Josef, Jose Maria, Nicolas Balet, Theo Tomas, Francisco Gare, Jose Giraud, Jose Vigo, Francisco Strope, Pedro Fregere, sailors, and Estevan Ranchaud, Luis Verret, Juan Denisa, passengers, each in a separate declaration, give the same testimony as Estevan Noel, which corroborates the Marine Protest presented by Alejandro Lafosse.

The Examination.

In the city of New Orleans, July 1st, 1784, the Escribano, in company with Juan Lacoste and Pedro Aubry, Ship Captains, and Francisco Anyolin and Pedro Visoso, Master Ship-Carpenters, went on board the San Pedro anchored at the levee to examine it, as directed by a foregoing decree, and having gone on board they went over the bottom very carefully and having seen and examined the keel on the outside they noticed scars upon it in several places caused by the pounding it received when it grounded, as was stated by the Captain in his declaration and by all of the crew and passengers in their depositions here attached. On the said keel they found a joint opened

through which it took much water, also the stern post has been thrown out of gear  $1\frac{1}{2}$  inches from the centre, which necessitates a great amount of work to return it to its proper place. There is no doubt but that these damages were caused by the grounding of the frigate at the Belize. They have unanimously agreed that the San Pedro can be careened and repaired and put in a seaworthy condition so as to continue her voyage without risk, although they can not be absolutely certain of it. The experts say they have made this examination well and faithfully, according to their knowledge and understanding, without injury to the party, under charge of the oath they have respectively taken. They signed, namely: Juan Lacoste, Pedro Aubry and Pedro Visoso. Francisco Anyolin did not sign because he cannot write. The above is attested to before Rafael Perdomo.

Alexandro Lafosse petitions,   
Alexandro Lafosse petitions to sell two cables. setting forth that the records of cables.

of this case have been delivered to him, together with the proceedings of examination and the testimony taken at his request that it has pleased His Lordship to order received. Therefore, so as to verify the truth of this incident when and where suitable, in order that upon seeing it the said losses and damages may be charged against the one who may have place, he prays the Intendant General to authorize him to make the necessary repairs on his ship, indispensable to make it navigable, and also to permit him to replace the cables and anchors lost as may be proven from the evidence produced. May it please His Lordship, at the same time, to concede him permission to hold a public auction sale before the Escribano, to dispose of what remains on hand of the said cables, parts of which were lost or damaged. This done, let the records be delivered to him to promote whatever else that may be required by law. Martin Navarro, on Juan del Postigo's advice, rules: As it is prayed.

Calls for the sale of the two pieces of cable. On the said day, month and year (July 3, 1784), 7th and 12th of July, the town crier gave the three public calls for the sale of 2 pieces of cable.

Auction sale. On July the thirteenth the Escribano went with the crier to Juan Bautista Poeyfarre's house, who is in charge of the frigate, San Pedro, to sell, at auction, pursuant to a decree of the Court, 2 pieces of cable belonging to Alejandro Lafosse, Captain of same, one piece being 80 fathoms long and 13 inches thick and the other 60 fathoms long and 11 inches thick. The first bidder is Claudio Chevo; he offered (space left blank for the amount for the 2 pieces of cable; Antonio Cavelier bids 140 pesos; Pedro Miraval 146; Pablo Segond 160; Manuel

Monsanto 172; Juan B. Poeyfarre 175. At this point the bell rang for 12 o'clock, and the crier then called for further and higher bids, but none were offered, so the 2 pieces of cable were adjudicated to Juan B. Poeyfarre for 175 pesos.

Alexandro Lafosse petitions for the return of the received bills.

Alexandro Lafosse states that the records of the case have been delivered to him as requested in his foregoing petition, whereby

he prayed for a permit for replacement and general repairs to his vessel and also to sell at auction 2 pieces of cable. These necessary permits were granted by decree dated the 3rd of last July, when it pleased His Lordship to order the repairs made. The petitioner now presents the original bills for all expenses incurred in the purchase of items indispensable for the equipment of the San Pedro and labor, together with the vouchers to prove them. He now prays to have the originals returned to him and to have certified copies of same retained and filed at the end of these proceedings. He further prays the Court to declare that the arrears, losses, damages and injuries were through no lack of knowledge of navigation, omission, malversation, nor fault of his and that for all time and whenever necessary the said losses will be charged against whoever may have place, and that upon seeing the repairs it may also please the Intendant to approve the said proceedings, interposing his authority and judicial decree for greater validation and force. Martin Navarro, on Juan del Postigo's advice, receives this petition and later renders a decision.

Decree.

In the city of New Orleans, on August 14, 1784, Martin Navarro, Intendant General of this Province, having seen the records of this case, said he must approve and does approve the testimony given for Alejandro Lafosse, together with the bills presented for the expenses caused to repair damages suffered by his frigate, the San Pedro, of which he is Captain. He further orders the originals delivered to him, with a copy of same kept and filed with the records of this case. To this effect His Lordship interposes and does interpose his authority and judicial decree inasmuch as he can and must according to law, for this is his definitive judgment, thus it is decreed, ordered and signed, to which the Escribano attests. Assessor's fees 15 pesos. (Signed) Martin Navarro and Licenciado Postigo.

Certified copy of the expenses incurred. 1784v. The vessel, San Pedro, Captain Alejandro Lafosse, Master, owes Francisco Cheatry (Fleury) for expenses incurred in giving assistance to his ship on May 9th, by

sending an anchor and 5 men in a launch to his boat. They left this Port for the Belize. The price was adjusted with Mr. Poeyfarre at.....	35 P.
Paid to 6 negroes for placing an anchor in the launch .....	1-4
May 17th. Provisions for the voyage.....	10
Paid to Pedro Garcia and Luis Monet, sailors employed on board, discharged by Captain Lafosse, for 9 days work at 1 peso a day each .....	18
June 7th. Paid by order of Mr. Poeyfarre to 3 sailors, Juan Pichet, Carlos Delbrigues and Juan Marrinasas, who shipped on board the San Pedro. Each one has worked 26 days at the rate of 1 peso a day.....	81

145-4

Approved: To be paid by Mr. Poeyfarre. New Orleans, June 8, 1784. (Signed) Alejandro Lafosse.

I certify that I have received from Mr. Poeyfarre the sum of 145 pesos 4 reales which was due for men employed and assistance rendered the ship, San Pedro. New Orleans, June 8, 1784. (Signed) Francisco Fleury (Chantry?)

B. I, Luis Verret, a passenger on the frigate, San Pedro, sailing from Guarico, commanded by Mr. Lafosse, for sending me to New Orleans from the Belize much sooner than I could have been landed from the San Pedro, to report to Mr. Poeyfarre of the precarious condition of the ship caused by grounding, the loss of an anchor and to ask for help to man the pumps, declare before Rafael Perdomo, Notary of the Royal Administration, to have received a reimbursement of 24 hard pesos, the same amount that had been paid for transportation to New Orleans. June 8, 1784. (Signed) Luis Verret.

The ship, San Pedro, Alejandro Lafosse, Master, owes Mr. Duclot for an anchor weighing 1100 pounds..... 200 P.

Approved: To be paid by Mr. Poeyfarre. New Orleans, July 11, 1784. (Signed) Alejandro Lafosse.

Verified: I have received 200 hard pesos, the full amount for the said anchor. New Orleans, July 15, 1784. (Signed) Duclot.

D. 1784 July 16th. The ship, San Pedro, Captain Alexandro Lafosse, Master, owes for 80 fathoms of fibre cable..... 300

Approved: To be paid by Mr. Poeyfarre. New Orleans, July 16, 1784. (Signed) Alexandro Lafosse.

I certify that I have received from Mr. Poeyfarre the sum of 300 hard pesos, the value of the abovesaid cable. July 18, 1784. (Signed) Armando Magnon.

E. 1784. July 16. The frigate, San Pedro, Alexandro Lafosse, Captain, owes Liotaud, Favre & Company, delivery will be made to the frigate, a 13 inch hemp cable, 120 fathoms long ..... 450

An anchor weighing 1400 pounds at 20 sols a pound..... 280

730

Approved: To be paid by Mr. Poeyfarre. July 18, 1784. (Signed) Alexandro Lafosse.

I certify that I have received 730 hard pesos from Mr. Poeyfarre, the full amount of the bill presented. New Orleans, July 19, 1784. (Signed) Liotaud, Favre & Company.

June 15. The frigate, San Pedro, proceeding from Garico, Alexandro Lafosse, Captain, owes the firm of Lieutaud, Favre & Company, Builders, to wit:

For the caulking given the keel of the said frigate:

For 672 pounds of oakum at the rate of 1½ reales a pound..... 126

Two barrels of tar at 4 pesos each..... 8

July 5, 101 pounds of nails of different qualities at 2½..... 31: 4½

July 9, 75 pounds of nails valued at 2½ a pound ..... 22: 6½

July 9, 18 ells of cloth to cover the pump at 1 peso an ell..... 18

July 9, 2 packages of nails for the pump at 1 peso 4 reales..... 3

July 9, 5 pounds of sledge-hammer nails at 4 reales ..... 2: 4

July 11, 9 barrels of tar at 4 pesos.....	36
July 11, 2 barrels of a mixture of pitch, grease, rosin and oil at 3 pesos.....	6
July 16, 4 partitions of 20 feet for the false keel at 2 P. 4 R.....	10
85 feet of planking for within at $\frac{5}{8}$ of a real per foot.....	6 P. 4 R.
69 feet of oak at 4 reales.....	34 4
21 feet of cypress at 1 real 3 maravedis.....	3
464 feet of planking.....	23 $1\frac{1}{4}$
13 quires of paper.....	1 5
232 pounds of red paint for below at 2.....	88
3 empty barrels for fuel at 4 reales.....	1 4
12 days work at the floating stage at 1 peso	12
11 days work on the main tackle, capstan and drum at the rate of 7 pesos a day.....	77
Paid for the use of several carts at 1 peso each .....	4
2 cords of wood to heat the tar.....	4
10 pounds of lead at 2 reales a pound.....	2 4
To the Royal Master Caulker for fees to examine and to bream the ship.....	12 4
July 23rd of the said month, 289 work days for carpenters and caulkers at 20 reales.....	597 4
48 days of negro labor to prepare the oakum .....	18
12 sailors who have worked on board during the repairs, from the 8th to the 23rd of July, 192 days of labor at 13 R.....	240
To Joseph, a builder, for his trouble and pains .....	30

1417 P. 2 R.

For what has been paid to the blacksmith  
for work done in making the said repairs,  
namely:

4 bolt-rings with their 4 treenails to attach them, weighing 2 pounds at 2 reales.....	2 P. 4 R.
2 four pound harpoon spikes at 4 reales.....	2
3 seven pound harpoon spikes at 4 reales....	3 4

18 bolts and pins.....	2	2
For having repaired the compass box and pump fixtures .....	6	
For having made 1 extended bolt-ring.....		6
For having made 2 braces for the mast trunk with treenails and bolts weighing 58 pounds at 4 reales.....	29	
For 8 scupper nails.....		4
For 2 chisels to cut iron and for mending a hammer .....	5	
19 pounds of large nails for the iron of the rudder .....	9	4
3 treenails weighing 7 pounds at 4 reales....	3	4
1 lantern for the foremast that was broken in careening .....	10	
3 gridiron clamps and different sized nails..	4 P.	6 R.
6 bolts .....		4
12 nails for the rudder weighing 3 pounds..	3	
12 staples for the same weighing 3 pounds..	1	4
For repairing 2 pawls of the windlass.....		4
For making 2 hooks for the hoisting tackle that were broken.....		3

1503 P. 2 R.

I certify that the present account is correct, save errors and omissions, amounting in all to 1503 hard pesos 2 reales. New Orleans, July 26, 1784. (Signed) Lieutaud, Fabre & Company.

Verified and approved: To be paid by Juan Bautista Poeyfarre. July 27, 1784. (Signed) Alexandro Lafosse.

Received the sum of 1503 pesos 2 reales, the amount of the bill rendered for the expenses incurred to repair the forenamed ship, the San Pedro, cleared from Guarico for New Orleans, August 3, 1784. (Signed) Lieutaud, Favre & Company.

General Account.

General Account of the ex-  
penses caused by the grounding

of the ship, San Pedro, Alexandro Lafosse, 1st Captain, as appears from the receipts presented to the Intendant. 1784 General and marked in the margin, namely:

A. May 9th. Paid to Francisco Fleury for expenses incurred in giving assistance to the frigate by sending down a launch, anchor and

5 men, the said frigate being then stranded outside of the Pass, at the Belize, the price having been agreed upon with Mr. Poeyfarre.....	35 P.
Paid the negroes for putting the anchor on board the launch.....	1 4 R.
For provisions for the voyage.....	10
May 17th. Paid Pedro Garcia and Luis Monet, sailors, employed on board the said frigate, discharged by Captain Lafosse, for 9 days labor at 1 peso a day each.....	18
June 7th. Paid by Mr. Poeyfarre's orders to 3 sailors, named Juan Pichet, Carlos Dalbres and Juan Marmanes, employed on board the San Pedro where each one worked for 26 days, at the rate of 1 peso a day.....	81
B. June 8th. Paid to Luis Verret, passenger on board the said ship, for expenses incurred to come up the river to notify Mr. Poeyfarre of the grounding of the San Pedro so that the latter might send aid, as appears from his receipt.....	24
C. July 15th. Paid to Andres Duclot for the full amount due for an anchor, as appears from his receipt.....	200 P.
D. July 16th. Paid to Armand Magnon for the full amount due for a fibre cable 80 fathoms long, as appears from his receipt.....	300
E. July 18th. Paid to Lieutaud, Fabre & Company, as appears from their receipt, namely:	
For a hemp cable 13 inches thick and 120 fathoms long .....	450
For an anchor weighing 1400 pounds at 20 pesos a pound.....	280
August 3rd. Paid to Lieutaud, Fabre & Company, as appears from their receipt, namely:	
672 pounds of oakum at the rate of 1½ reales a pound.....	126
101 pounds of nails of different qualities at 2½ reales.....	31 4½
2 barrels of tar at 4 pesos each.....	8
73 pounds of nails valued at 2½ reales.....	22 6½
18 ells of cloth to cover the pump at 1 peso an ell .....	18

2 packages of nails for the pump at 1 peso 4 reales .....	3
5 pounds of sledge-hammer nails at 4 reales .....	2 4
9 barrels of tar at 4 pesos.....	36
2 barrels of a mixture of pitch, grease, rosin and oil at 3 pesos.....	6
4 partitions for the false keel at 2 pesos 4 reales .....	10
85 feet of planking for within at $\frac{5}{8}$ of a real a foot.....	6 4
69 feet of oak at 4 reales.....	34
21 feet of cypress at 1 real 3 maravedis a foot .....	3
464 feet of planking for sheathing.....	33 $1\frac{1}{4}$
13 quires of paper at 1 real.....	1 5
232 pounds of red paint for below at 2 pesos .....	88
3 empty barrels for fuel at 4 reales.....	1 4
The following is the account of Lieutaud, Favre & Com- pany, marked F:	
12 days work for the floating stage at 1 peso .....	12
11 days work on the main tackle, capstan and drum at the rate of 7 pesos a day.....	77
For the use of several carts.....	1 4
2 cords of wood to heat the pitch.....	4
10 pounds of lead at 2 reales.....	2 4
To the Royal Master Caulker to examine and to bream the ship.....	12 4
239 work days of the carpenters and caulk- ers at 20 reales.....	297 P. 4 R.
48 work days of negroes to prepare oakum at 1 peso.....	48
12 sailors who have worked on board during the repairs from the 8th to the 23rd of July, 192 days of work at 10 reales.....	240
To Joseph, Builder, for his labor and pains..	30
What has been paid to the blacksmith for work done in connection with the said repairs, as appears from receipt F, namely:	
4 bolt-rings, with 4 treenails, weighing to- gether 5 pounds.....	2 4

2 four-pound harpoon spikes at 4 reales.....	2
3 seven-pound harpoon spikes at 4 reales....	3 4
18 bolts and pins.....	2 2
For repairing the compass box and pump fixtures .....	6
For making an extended bolt-ring.....	6
For making 2 braces for the mast trunk with tree nails and bolts, all weighing 52 pounds, at 4 reales.....	29
8 scupper nails.....	4
2 chisels to cut iron and mending a hammer .....	5
19 pounds of large nails for the iron of the rudder .....	9 4
3 seven pound treenails at 4 reales.....	3 4
1 lantern for the foremast that was broken in careening the ship.....	10
3 gridiron clamps and different sized nails .....	4 6
6 bolts .....	4
12 nails for the rudder, weighing 3 pounds..	3
12 staples for the same, weighing 3 pounds..	1 4
For mending 2 pawls of the windlass.....	4
For making 2 hooks for the hoisting tackle, which were broken.....	5

2902 P. 6 R.

Received, after deducting from the above amount 175 hard pesos, the proceeds from the judicial sale of the cables. 175 pesos taken from 2902 pesos 6 reales leaves 2727 pesos, 6 reales.

I certify that the present account is correct which amounts to 2727 hard pesos 6 reales, after having deducted from the sum total, 2902 pesos 6 reales, 175 pesos, the full amount realized by the judicial sale of the cables. New Orleans, August 3, 1784. (Signed) *Alexandro Lafosse*.

Certification.

The above conforms to the originals presented by Captain *Alexandro Lafosse*, before the undersigned Notary Public, to whom the said originals have been returned, pursuant to the definitive judgment rendered, to which *Rafael Perdomo* re-

fers and in compliance with this said judgment sets down the present in the city of New Orleans, August 14, 1784. (Signed) Rafael Perdomo, Notary Public and Clerk of the Royal Treasury.

## Receipt.

In the city of New Orleans, on August 16, 1784, before Rafael Perdomo and witnesses, appeared Alexandro Lafosse, personally known to the former, and he said that pursuant to the foregoing decree he has received from the Escribano the bills he has presented that were ordered delivered to him in accordance with the said decree, and he now draws up a receipt in due form for these documents, which he signs, the witnesses being Manuel Galvez, Francisco Carcasses and Manuel Monrroy here present, to which the Escribano attests. (Signed) Alexandro Lafosse, before Rafael Perdomo.

Alexandro Lafosse petitions for a taxation of costs.

Alexandro Lafosse petitions to say that in order to be able to give satisfaction, to those legitimately interested, for what has happened, so that he may not be held responsible for the accident, losses and costs at any time, he prays the Court for a taxation of said costs and that the Escribano supply him with a certified copy of these proceedings, drawn up in public form in a manner that will have credit, and he will promptly pay all just and due fees. Martin Navarro, on Juan del Postigo's advice, decrees: As it is prayed in all.

Notification, acceptation and oath.

On the said day, month and year (August 17, 1784), Luis Liotaud, Public Taxer, was notified in person, and he said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with his charge, and he signed, to which the Escribano attests. (Signed) Luis Liotaud, before Rafael Perdomo.

Taxation of Costs.

Taxation of costs for the proceedings instituted by Alexandro Lafosse, Captain of the frigate, the San Pedro, to prove that the losses and damages he has sustained navigating the said frigate were through no fault of his, in conformity to the last decree and in accordance with the Royal Schedule for taxing costs, the said proceedings having been set down on 85 sheets of paper.

[Navarro's  
paragraph.]

Province, twelve reales for four half signatures and one full one.....

To Martin Navarro, Intendant General of this

[Otero's paraph.]	To Bernardo de Otero, Gen- eral Accountant, late of this said Province, 2 reales for a half signature .....	2
[Postigo's paraph.]	To the Audi- tor of War and Assessor Gen- eral, one hundred and twenty reales, Asses- sor's fees on page (space left for number).....	120
[Perdomo's paraph.]	To Rafael Perdomo, Escri- bano, for his fees in the actual discharge of his duties, writing, etc. and assistances, four hundred and forty reales .....	440
	To Alejandro Lafosse's agent for five pe- titions appearing in the records, twenty-five reales .....	25
	Brought forward	599
	To Pedro Visoso, Master Ship-Carpenter, twenty-two reales for two assistances.....	599
	To Pedro Aubry, Arbitrator, twenty-two reales for two assistances.....	22
	To Francisco Mayronne for one assist- ance, eleven reales.....	22
	To Juan B. Lacoste for two assistances, twenty-two reales.....	11
	To Pedro St. Ane (Antonio St. Ann) for one assistance, eleven reales.....	22
	To Francisco Anyolin, twenty-two reales for two assistances.....	11
[Received Liotaud's paraph.]	To the Taxer for this assign- ment twenty- eight and a half reales.....	22
	To the town crier for three public calls and one assistance at the auction sale, twenty- six reales.....	28½
		26
		# 763½ Reales
		# 95 P. 3½R.

New Orleans, November 16, 1784.  
(Signed) Luis Lioteaud.  
(To be continued.)